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Tros Tyriusque mihi nullo discrimine agetur.

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ART.		PAGE
I.	FUTURE RETRIBUTION. By the Rev. F. W. FARRAR, D. D., F. R. S., Archdeacon and Canon of Westminster.	193
II.	THE MORAL ASPECTS OF VIVISECTION. By Prof. NOAH K. DAVIS.	203
III.	BUDDHIST CHARITY. By Prof. F. MAX MÜLLER.	221
IV.	THE REVIVAL OF SECTIONALISM. By MURAT HALSTEAD.	237
V.	MIND IN MEN AND ANIMALS. By GEORGE JOHN ROMANES.	251
VI.	THE USE AND ABUSE OF TITLES. By D. C. GILMAN, LL. D., President of Johns Hopkins University.	258
VII.	SPECULATION IN POLITICS. By Judge JOHN A. JAMESON.	269
VIII.	RAILWAY LAND-GRANTS. By JOHN W. JOHNSTON.	280

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FUTURE RETRIBUTION.

THE publication of book after book on the subject of future retribution shows that it is a question of inexhaustible interest to many thousands. The immense variety of opinions respecting it in the minds of deeply religious men shows, further, that it is one which occupies the border lands of Christian doctrine, and cannot be brought under the domain of rigid dogma. The fact that many clergymen in the highest positions of the church have expressed, unassailed and unimpugned, that "larger hope" for the great mass of mankind beyond the grave which would once have been visited with penal disabilities, is a decisive indication that during the past few years there has been a great modification of Christian opinion. It is not my purpose in this brief paper to enter into any elaborate arguments about the punishment of the guilty beyond the grave. Those who desire any contribution that I could offer to the general discussion will find it in the Westminster sermons on "Eternal Hope," and in a reply to Dr. Pusey, called "Mercy and Judgment," which has led me into a fuller and closer examination of this question and the views of the church respecting it in different ages. With

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those books I am quite content to close my share of the controversy, and I am deeply and thankfully sensible that they have had their share in disencumbering the current theology of a multitude of religious teachers from a frightful and fatal incubus of false opinion, which rested on no better basis than the accretions of corrupt opinion in ages of ignorance and darkness. Mistaken conceptions that can plead a long prescriptive toleration are apt to put on the airs of abstract right. They would fain pose as the sole orthodoxy, as the decision of councils, as the *norma fidei*, as the voice of the church. Those who have accepted them without examination, and who see them shattered to pieces, have vainly tried to brand with the stigma of heresy the destroyers of their subjective idols. It has been shown that half of the assertions about everlasting torments for all but an insignificant fraction of mankind, rest on assumptions that are about as valid as the Donation of Constantine, or the Decretals of Isidore. It has been proved, beyond possibility of reasonable dispute, that no council of any authority whatever has ever identified the popular theology with prescribed dogma; that the doctrine has been one respecting which churches widely differ; that while most fathers, schoolmen, and divines have apparently believed in an endless hell in its crudest form, and have done so most unanimously and most unreasoningly in ages when the vast masses both of the clergy and of the laity were sunk into their deepest torpor of blind traditionalism, yet many divines of the most splendid eminence—and among them Origen, one of the greatest, noblest, and most laborious scholars that the church ever produced, and St. Gregory of Nyssa, a canonized saint, the president of an œcumenical council, the sole theologian except St. John to whom the church has ever allowed the title of "the Divine," and one who had a share in the fixation of the Nicene Creed—have taught a milder view. It has been proved further by a long catena of authorities that many of those whose names are most highly honored in the Universal Church of God, while they have not seen it to be their duty to brave the insolence of theological hatred, or the tyrannies of the secular arm that priests were able to direct, have proved that their acceptance of the common teaching was only nominal, by dropping hints and using expressions entirely irreconcilable with it. Further than this, the pretended defenders of "the horrible decree" have of late, though only of late, been so eager to limit its incidence, to soften its horror, to mitigate its application, and to open doors of hope

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for the misery of mankind in other directions, that their views, except for the recurrence of a few phraseological shibboleths, show but little appreciable difference from those of their brethren who occupy a more advanced position. Still further, there is one significant sign that, though many still prefer to believe in the coarsest and most sweeping denunciations of fire and brimstone, and "obscene threats of a bodily hell," either their belief is simply verbal or else they are shamefully false to their own convictions. For what are the facts? Scores of sermons are yearly published by men who prefer to hold these doctrines, or wish it to be believed that they do, and who yet either do not in their published sermons make any allusions to them at all, or only in the most distant and conventional language, and with an infrequency and an inadequacy that are startlingly disproportionate to their terrific importance. The ignorant slander of those who seem to think it a merit to "lie for God" has again and again charged me with "denying hell." The simple truth is, that if by "hell" be meant the solemn law and fact of retribution both here and hereafter, I think few living clergymen have dwelt upon it more often or more strongly than I. If it be true that one of the Caroline divines, preaching at Whitehall, told his audience that "if they abandoned themselves to their irregular appetites they must expect to receive their reward in a certain place which 'tis not good manners to mention here," even this wretched euphuism had in it more of sincerity than the reticence of those who, professing to believe that the majority of their fellow-creatures are dropping day by day, like a shower of agonized rain-drops, into an endlessness of inconceivable and flaming torture, never in whole volumes of homilies make any use of their belief. And why do we scarcely ever, in these days, hear sermons of the Jonathan Edwards stamp? For these reasons among others: because, even in his own day, Jonathan Edwards disgusted, offended, and stunned the greater number of his adherents by utterances that he himself entirely believed, but which we now read with shudders of inexpressible abhorrence; and because the wider knowledge of mankind, the revelations of science, the more vivid apprehension of Christ's revelation of God as a God of love, the deeper hold upon the meaning of the incarnation, the atonement, and the resurrection, the destruction of the degraded fetishism of a letter-worship, that stopped short at the letter of Scripture without attempting to understand it; these and other influences of the

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dawn have so educated the moral sense of congregations, that they revolt at teachings which they feel to be false to all that is likest God within their own souls. In the thirteenth century it was possible to believe in such a hell as that which Dante describes, although the horror of the conception was quite indefinitely mitigated to the popular conception by the concurrent belief in purgatory, and therefore in the ultimate happiness of the great majority of baptized Christians. But the hell of Dante, in all its vilest details, with its gross physical torments, its indecent fiends, its injustice, partiality, and eternal despair, had been created by long nightmares of sacerdotal dogma in ages of ever-deepening ignorance and corruption. Into its Malebolge and Niagara of blood, and lakes of Stygian slime, had disembogued the dregs of rabbinic fancy and monastic self-torment during dreary epochs in which the very idea of Scripture exegesis had been radically perverted, and in which masses of doctrine were built like inverted pyramids on the narrow apex of misinterpreted metaphors. How far Dante himself meant his vision to be taken as a counterpart of real things must remain uncertain. Hell to his great and glowing soul was the concrete form assumed by its own burning indignation against wrong. This intensity of a heart lacerated by so fierce a spirit of hatred against contemporary crime magnetized his theology. In those days it was as much as a man's life was worth to question the dominant dogmas, nor was there, indeed, any desire to do so, for they were strong enough to strangle for centuries the instinctive movements of the soul, and to render impossible the spiritual estimate or honest examination of assertions which the reason scarcely ventured to approach, but on which, in their one aspect of truth, the fancy exercised all its power. There are sufficient evidences even in Dante's "Inferno" to show that the belief in such a hell as he depicted had reacted most unfavorably upon himself, and that it would have been fatal to his moral nature if it had not been counterbalanced by the holier forms of imagination. It is also clear that he felt himself compelled to smite back as with a bar of iron all the incipient questionings of an agonized moral sense. But beliefs that were possible in the thirteenth century are not possible in the same form in the nineteenth, when they are seen under the light that shines on so patiently, and wherewith "God shows all things in the slow history of their ripening."

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Nothing could have manifested more strikingly the gradual but certain change of Christian opinion than Dr. Pusey's answer to "Eternal Hope," in the book called "What is of Faith as to Everlasting Punishment." It was the only answer to my book that seemed to me to be worthy of a moment's notice, or to which with any self-respect I was able to reply at all. However strong might have been his original conviction that my teaching was "mischievous,"* he wrote with the knowledge of a theologian, and in the spirit of a gentleman and a Christian. But when I read his book I felt that my own work was practically done; I believed him, indeed, to be demonstrably wrong in many historic details and in many special arguments. In the necessarily dry and minute reasonings and references of "Mercy and Judgment," I have given my grounds for thinking so. But such details were comparatively unimportant, and all controversy respecting them might safely be left to the decision of time. It was not so as to the main conclusions in the only points that seemed to me of overwhelming importance. Here I felt that, wide as might be the verbal divergences between us, and different as might be the aspects from which we approached the question, a theologian whose opinions received, from his age, his dignities, his learning, his character, his already published opinions, and his historic position in the church, ten times the weight of anything that I could say, was in substantial agreement with me on everything that I held to be of primary significance. I wrote to him that, as regards the main question, he maintained hardly anything that I impugned; and he wrote to me that I advanced hardly anything that he denied, and that if I could substitute the idea of future development for that of future probation, he thought my views would be in accordance with those of the whole Christian church.†

* In a letter published in the "Life of the Rev. James Skinner."

† In a letter to me, dated July 30, 1880, Dr. Pusey says: "If I had had time I would have rewritten my book, and would have said, '*You seem to me to deny nothing which I believe.* . . . I would have been glad to begin with what we believe in common, and so to say there is no need then to theorize about a new trial.'" In another letter, dated August 3d, he says: "It is a great relief to me that you can substitute the conception of a future purification for those who have not utterly extinguished the grace of God in their hearts. This, I think, would put you in harmony with the whole of Christendom."

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But I had no need to "substitute" anything. On referring to "Eternal Hope," I found that I had said little or nothing about future probation. I do not think that I had once used the word. My object had solely been to repudiate certain hideous excrescences and accretions to the doctrine of future retribution as commonly taught, which accretions appeared to me to be as unauthorized by the Scriptures as they were revolting to the conscience. I had never tried to explain, or desired to scrutinize, the how or the why of God's future dealings with the human soul. My only desire had been to cut the free soul of religion loose from the corpse of a decaying traditionalism. And I found that Dr. Pusey had practically conceded everything that I desired. He repudiated the notion that it was "of faith" to believe that the vast majority of men had been ever doomed to an endlessness of agony. He admitted that it was not "of faith" to accept the current descriptions of material torments. He held, as I held, the possibility of a penal purification beyond the grave which might be called by the name of "purgatory," if that word did not convoke a number of views that we both rejected. He accepted, if I mistake not, the admissibility of prayers for the dead, which *ex vi termini* involve the conception of possible ameliorations in the state of their hereafter. Our differences reduced themselves to these: He thought that there was in death an almost sacramental efficacy, and that, in the very hour and agony of death, multitudes of souls might be saved whose fate was, to all human appearance, hopeless. His language on this subject seemed to me so startling that I was amazed at the small notice it attracted, and it seemed to lay open his own views to the very charge as to the "dangers" of removing the safeguards of fear that he himself had urged so strongly against me and others.*

If my views were to be stigmatized as lax, because I thought that the door of hope might not be closed forever to all who, at the moment of death, had shown no visible signs of repentance,

* "Take the case of one falling in a duel, but repenting, for the love of God, after he had been mortally wounded. Or that (which made much impression) of an unbeliever who had lately been inculcating unbelief, and who rose from an adulteress's bed to fall back and die in the arms of the adulteress." Dr. Pusey asks even of these, and of Absalom, Nebuchadnezzar, Antiochus Epiphanes, etc., whether they may not have repented, and so become salvable *in articulo mortis*. ("What is of Faith," pp. 12–14.)

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it seems to me a view infinitely more lax to hold with Dr. Pusey that "a soul dying immediately upon the commission of a deadly sin" may still die "in a state of grace." The only other difference was this: He held that for some, even from the moment of death, there was an endless hell; that is, an endless exclusion and alienation from the presence of God. I had never denied that this might be so, although I did not think that the church had ever demanded such a belief, or that we were justified in laying it down dogmatically as being "of faith." But on one very essential truth I had insisted quite as strongly as Dr. Pusey, and perhaps even more distinctly than Origen, or St. Gregory of Nyssa, namely, that "without holiness no man can see the Lord"; and that the impenitent permanence of a sinful individuality was in itself a hell; and that until sin, and the desire for sin, had been, in whatever way, washed or exorcised from the soul of man, it could never be at unity with the Eternal Goodness, nor could it, even in a physical heaven,— if that were possible,— find the heaven of peace with God.

Views are often rejected on the sole ground that they are popularly branded as "dangerous." The procedure is immoral, and shows a want of faith in God. God is a God of truth, and if we have any belief in him at all, we shall never believe that error is needed as a safeguard of morals. It is historically absurd to argue that the belief in such a hell as that painted by Tertullian or Mr. Spurgeon or Furniss is any protection against the temptations to individual crime. Even when such a belief was unquestioningly accepted, the belief in the atonement, the belief in the possibility of repentance, might, if men chose, be sufficiently "dangerous" to make the fear of hell, even in the basest natures, a wholly ineffectual barrier against sin. It is only the basest natures that can be acted on by fear, and a soul that became virtuous solely from fear of hell-fire is an impossible conception, for such a soul would simply not be virtuous at all. Even Horace saw that it is only by the love of virtue, not by the dread of punishment, that a man can be good. And since the Middle Ages the grotesque descriptions of physical torment have been infinitely more dangerous than nobler, purer, and truer teaching. They have been, in multitudes of acknowledged instances, a direct excuse for infidelity. They have been rejected by the incredulous abhorrence of mankind, and have dragged the vital truths of religion into the same rejection. If there be

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danger in the rejection of every element of fear, the vulgar view of hell, being secretly disbelieved even by many who were supposed to teach it, led directly to such false security. But when a true fear—the fear of an induced state, not of a material flame—the fear of inevitable laws, not of arbitrary inflictions—the fear of the displeasure of a God who loves the sinner even amid his sins—the fear of that which we call his wrath as expressed in the working of stern laws that are beneficently intended to teach us what is his will,—such a fear— the noble fear of doing wrong because it is wrong, because God by the structure of his whole revelation, alike in nature and conscience and in Scripture, has shown it to be wrong—is an element in a wise and earnest life. And this element is not in the least weakened by larger hopes for the destiny of mankind; nay, it is indefinitely strengthened; for in proportion as we emphasize the truth, and press home the appeal of God's love, do we teach every true soul to dread a disobedience that involves the resultant misery that we call his anger. Let no man suppose that milder views of the future are of any rose-pink or Della-Cruscan character. They have sprung mainly from the instinctive sense of justice, and from that idea of God which results from many confluent lines of revelation. It is only the rage of theologians awaked from the deep slumber of decided opinion that has thought it witty or becoming to impute to a "mawkish sentimentality" the repudiation, with every muscle and fiber of our moral being, of doctrines that represented the God of love as a Moloch even more cruel than the abomination of the children of Ammon. That repudiation sprang from the study of Scripture, from the growth of criticism, from the widening of knowledge, from the comparison of religions, from the history of doctrines, from truer and juster thoughts of all that man is and all that God is, from a fuller sense of all for which Christ died, from a deeper estimate of the true dignity of redeemed humanity, from a tracing of late ecclesiastical traditions to their corrupted source, from an acquaintance with the liberty that has on this subject been always accorded to Christian opinion, from a contemptuous disarming of

> "Blind Authority, beating with his staff
> The child that might have led him."

Nevertheless, we relax no nerve of righteous indignation; we not only offer no impunity to the four classes whom God most

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hates,— murderers, adulterers, hypocrites, and liars,— but we point them to a more just, a more natural, a more certain, and a less imaginary punishment. So far from weakening the majesty of God's two great angels of Duty and Conscience, we add a deeper awfulness to their looks of calm yet intolerable indignation. We convince bad men that they are what they make themselves, and that this is hell; that there is no outer darkness so deep as that of a self-darkened and alienated soul; that if a man would be at one with God, he must put on Christ and put off his own polluted self. Do we, then, make void the law? Yea, we establish the law! But, though we remove no safeguard of honorable fear, there are certain things which we do, and these, in conclusion, I would briefly mention.

First. There are many who have accepted what they call the doctrine of "Conditional Immortality," the old rabbinic belief that the hopelessly wicked are first tortured, then annihilated. We do not accept this view. We do not, indeed, either condemn it as a heresy, or withhold communion from those who have adopted it. We frankly admit that something like this seems to have been the opinion of Irenæus and of Justin Martyr, and that it may derive a certain apparent sanction from the letter of Scripture literally interpreted. But for ourselves, we believe in the immortality of the soul, on the grounds on which it has been held by the vast majority of Christians, and, indeed, of mankind in all ages, and we do not feel ourselves justified in holding that some souls are, and some are not, immortal.

Second. We refuse to dogmatize about a multitude of details respecting which rabbis, and fathers, and scholars, and theologians have dogmatized incessantly, but respecting which the views of Christian antiquity have differed, and the voice of the church is absolutely silent.

Third. We insist on the wise old rule of theological reference that *theologia parabolica non est demonstrativa.* We see clearly that a very large part of the teaching that assimilates the Christian to the Buddhist and the Mohammedan hell, has been simply based on the oriental metaphors, on popular expression, and on the graphic scenery that surrounds the central meaning of parables; and that from such sources no such conclusions can be drawn.

Fourth. We reject many of the current proofs that have been so inexcusably perverted from their proper meaning to be pressed into a controversy with which they have no connection.

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The rejection applies especially to the greater number of passages adduced in this controversy from the Old Testament. Any one who, at this time, can still quote so totally irrelevant a phrase as, "Where the tree falleth, there it shall lie," simply puts himself out of court, proves only his own incompetence to understand the simplest conditions of any scriptural argument.

Fifth. We refuse to give to fluid popular expressions, to current phrases of a vague meaning that varies with the context, —like the Hebrew *sheol*, the Greek αἰώνιος, and the English "eternal,"—a rigid significance, which is partly excluded by the only light thrown in Scripture upon their usage, and partly expresses a conception to which those who originally used them had never attained at all.

Sixth. We refuse to ignore the fact that there are in Scripture distinct autonomies of teaching on this subject, which only confirms the impression that we derive from the whole course of human history and the gradual progress of human knowledge, that God never intended to draw the curtain from the details and the secrets of the world beyond the grave. If one set of expressions in Scripture point to the annihilation of the wicked, and another set of expressions may, by the liberal help of inference, be interpreted to imply an endlessness of torment, and another set of expressions, taken in their own plain sense, and in common with the arguments into which they are introduced, indicate an apparent final restoration of the whole universe into the blessedness of the divine life,— then it is clearly beyond our power to dogmatize with any confidence upon the whole subject, but we fall back with perfect faith upon the certainty that the Judge of all the earth will do right, and meanwhile we are true to the best we know when we guide our whole lives in accordance with his eternal moral laws, and take our conception of his sovereign attributes of love and mercy from the revelation of himself which all of us believe that he has given to them in the Son of Man, the Saviour of the world.

F. W. Farrar.

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THE MORAL ASPECTS OF VIVISECTION.

THE very word is sharp. It is smooth and highly polished, with a keen, cutting edge. It tells of a helpless, suffering creature under the steady hand of a pitiless dissector. The skin is flayed away, the quivering flesh carved off, the nerve trunk pierced with needles, the bare bone sawed asunder. The cries of bitter agony are unheard by the stern operator; the resisting struggles have been foreseen and forestalled. The ghastly work goes steadily on, until, after a while, a long, long while, the silver cord is loosed and the golden bowl broken, and then at last all is silent and still. I hate cruelty. It fills me with horror and disgust. It tramples on the divinest instincts —

My dear madam, if you please, stop a moment. This is very shocking, and your seething indignation is natural and truly amiable; but as there is just now no dripping knife, or smeared table, or writhing victim actually before your eyes, or screams of pain actually piercing your delicate ears, let us be calm, let us think a little. You hate cruelty. So do I. You hate it hotly. I hate it with a hate so cold and deadly that its vent might prove cruel. But we must not let our feelings judge. A vast surplus of feeling has been expended on this matter, and many bitter things have been said and written. Rather, let us quietly take our seat on the bench, and summon vivisection to the bar. Do not join in denouncing this "cruelty of cruelties" until you see clearly your ground. Before you undertake to strike a reptile, be sure that it is a reptile, and then that you hit it so hard that it cannot strike back, else you may have cause for regret.

When we who are outside the laboratories try to ascertain just what this vivisection is, we meet with some difficulties. Its practitioners and advocates describe it as an important method of physiological research by the dissection of living animals. It

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seems that practical physiology has four branches,—the histological, chemical, physical, and vital,—and that vivisections occur only in the latter department. Even here they form but a very small part of the experiments, for much the larger number involve neither cutting nor pain. In cases that would otherwise involve pain, chloroform is usually given, and the animal is killed before it recovers from the anæsthetic. It is evident, then, that the term vivisection has a much narrower meaning than practical or experimental physiology, and is properly applicable only to special cases that are comparatively few.

But when we examine the reports in the medical journals—for instance, in "The Lancet"*—we find that painful experiments are not at all infrequent. The opponents of the practice collect the telling cases, and describe them as sawing across the backbone, dissecting and irritating the great nerves, driving catheters along the veins and arteries, inoculating with dreadful diseases, cutting out parts of the intestines, stewing and baking in a stove, pouring boiling water into the stomach, boiling or freezing to death, and by mechanical processes reducing the brain to the condition of "a newly plowed potato-field." Moreover, they point out that an eminent authority disapproves of the use of anæsthetics, as "an experiment is much more satisfactory when the animal exhibits signs of pain." Often the animal is not left even normally sensitive, but raised to a frightful condition of morbid sensitiveness by the motor-nerve paralyzer, but sensory-nérve excitant, called *curari*. This drug is administered to "keep the animal quiet" under the operation. Claude Bernard, the prince of physiologists, describing one of his experiments, says: "A dog was first rendered helpless (by *curari*) and incapable of any movement, even of breathing, which function was performed by a machine blowing through a hole cut in its windpipe; but its intelligence, its sensitiveness, and its will remained intact, a condition which, under the opera-

* See, for instance, the number for September 17, 1881, giving an account of some experiments of M. Richet in electrical tetanus. The article says: "If the animal is kept cool by artificial means, it may bear for more than two hours extremely strong currents, which cause severe tetanus (lockjaw), without dying for some days." See, also, the "British Medical Journal" for May 5, 1877, December 14, 1878, and June 11, 1881; and the "Journal of Physiology" for January, 1882. There are said to be about thirty physiological laboratories in Europe and Great Britain.

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tion, was accompanied by the most atrocious sufferings that the imagination of man can conceive."*

As to the number of animals dissected alive, we learn that M. Paul Bert describes a series of experiments up to No. 286; that Schiff is calculated to have used 14,000 dogs and about 50,000 other animals during his ten years' work at Florence; that Flourens told Blatin that Magendie had used 4000 dogs to prove Sir Charles Bell's theory of the motor and sensory functions of the nerves, and then 4000 more to disprove it; and that he (Flourens) had proved Bell was right by sacrificing 1000 more. This is enough. It is needless to repeat the oft-told tale of horrors contained in the works of Claud Bernard (to whom the English physiologists proposed in 1878 to erect a statue), of Paul Bert, Brown-Séquard, and Richet in France, of Goltz in Germany, of Mantegazza in Italy, and of Flint in America. The British physiologists are accused of like atrocities, and we are told that a glance at their record "makes the soul sick as with a whiff and an after-taste from a moral sewer."†

At the meeting of the British Medical Association at Norwich, in 1874, M. Magnan, a French physiologist of high repute, exhibited some experiments on live dogs. The Royal Society for the Prevention of Cruelty to Animals prosecuted the assistants of M. Magnan. The magistrates dismissed the case as not coming under the Cruelty Act, but agreed that the experiments were nevertheless cruel and useless.‡ Public opinion was deeply moved, and parliamentary inquiry demanded, which resulted, in 1875, in the appointment of a royal commission of forty-five members. Many eminent medical men were examined as experts,

* See his article in the "Revue des Deux Mondes" for September 1, 1864. The following indicates the extent of this practice: "Curari is now employed in a vast number of experiments as a means of restraining the animals. There are but few observations the narrative of which does not begin by stating that they were made on a curarized dog." (*Leçons de Physiologie Opératoire*, p. 168.)

† See especially a strong article by Miss Cobbe in the "Contemporary Review" for April, 1882. Any one who wishes to sup full of horrors is referred also to "Vivisection (in three) Prize Essays" (London, 1881), to M. Scholl's "Ayez Pitié," and to M. von Weber's "Folkerkammer der Wissenschaft."

‡ The Academy of Sciences at Paris, at the annual meeting, after the Norwich trial, testified its approval of M. Magnan's researches by awarding him a prize of 2500 francs.

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and many opponents of the practice. The "Report," covering 388 pages of the Blue-Book, was made in 1876, and Parliament thereupon passed the Vivisection Act, prohibiting experiments on living animals except under stringent regulations. It seems that the English physiologists acquiesced in the law, or at least strictly conformed to it, and that public agitation subsided.

In the midst of this stir, the Victoria street Anti-vivisection Society was started, with Lord Shaftesbury as president, and Lord Chief Justice Coleridge, Cardinal Manning, Lord Mount Temple, and the Bishop of Winchester as vice-presidents. At first the society asked only for a restrictive law; but, when this was obtained, it was not satisfied, and proceeded to demand absolute prohibition. In May, 1881, its organ appeared, the "Zoöphilist," which recounted its reasons as follows:

"1st. Because vivisection is the most cruel of cruelties, and the laboratories where it is practiced are places where torture is not an accident but a business. 2d. Because, while other cruelties are dying out before the advance of civilization, vivisection is becoming a new vice. 3d. Because it not only involves most pain to brutes, but is most demoralizing to men, because most conscious and deliberate. 4th. Because the Society is convinced it is scientifically worthless, a misleading method of physiological research."

The manifesto concludes:

"Not on this last issue, however, the worthlessness of vivisection, do we for a moment consent to rest our cause. A practice inseparable from the great offense of cruelty does not become lawful, even should it chance to prove useful. . . . We repudiate the whole rotten system of morality to which such arguments belong, and maintain that if the gain to science and the healing arts to be obtained by vivisection were as real and substantial as it is vain and visionary, it would fail to justify the infliction of torments on brutes, or the degradation of men into tormentors."

In August, 1881, the International Medical Congress met in London, numbering three thousand members, by far the largest and most widely representative assembly of medical men the world has ever seen. During the session, vivisection was much discussed. The famous Professor Virchow took it as the subject of his address at St. James's Hall, declaring that none of those who attacked vivisection as an aid to science have any conception of the true importance of science, or of the value of this means of acquiring knowledge. The English restrictive law was generally condemned by the Congress, and on August 9 the following resolution was unanimously passed:

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"*Resolved,* That this Congress records its conviction that experiments on living animals have proved of the utmost service to medicine in the past, and are indispensable to its future progress. That, accordingly, while strongly deprecating the infliction of unnecessary pain, it is of opinion, alike in the interest of men and of animals, that it is not desirable to restrict competent persons in the performance of such experiments."

Two days afterward the British Medical Association, at a special and crowded meeting, with only one dissenting voice, approved this resolution.*

The resolution acted like a red rag. John Bull went mad. Everywhere, and by everybody, the subject was fiercely discussed. It became once more, and more than ever, a burning question. Professor Ferrier was prosecuted. The zoöphilists vowed their determination to force through Parliament a prohibitory act. Placards with hideous pictures of the great abomination were posted at all crossways; pamphlets fell like fire-flakes; the newspapers teemed with vindictive paragraphs; and the heavier metal of the monthly reviews resounded throughout the United Kingdom. The physiologists defended themselves generally with dignity, if not with efficiency. While the medical faculty in general sided with them, they were assailed on every hand by bishops and clergy, lawyers and politicians, novelists and penny-a-liners, officers of both army and navy, jockeys and spinsters, lords, ladies, and laymen generally, and finally *(et tu, Brute!)*, the Dublin College of Physicians. The clamor was loud and long, reminding us of our antislavery times. Gradually, however, it abated; the agitators seemed at last to be weary of it, and unwilling to pay the price, "eternal agitation."

The sword-play which the literary remains of this contest exhibit is certainly very entertaining, but not at all decisive. Like the ghostly heroes of Walhalla, the combatants hew one another into pieces, only in a twinkling to be reunited and again engaged in the bloodless encounter. While the battle was raging, our partisan feelings were enlisted, but now that it has subsided, we may, in the interval of comparative quiet, calmly

* In the opening address, Professor Humphrey said: "Almost every advance in our knowledge of the human body has been made through vivisection." During the Congress, a statue of Harvey was unveiled at Folkestone, August 6, and the address on that occasion, by the venerable Professor Owen, warmly advocated vivisection.

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examine the question, it being one on which every thinking man desires to have a clearly correct and fixed opinion. Happily it has not been generally agitated among us, nor is it desirable that it should be; and therefore we avoid home cases, and look abroad for facts. But a reasonable consideration of the subject is desirable, in order that a healthful public opinion may be formed, one that may save us from being caught unawares by agitators, and plunged, perhaps, into unwise legislation.

At the outset it is needful to clear away some misapprehensions. It would seem superfluous to point out that the question before us is not one of physiological science, were it not that many scientists claim that it belongs solely to their own exclusive domain, and is to be judged of only by experts. The unscientific world is haughtily forbidden to have an opinion in the matter, except so far as they adopt that of their betters, much less to promulgate one, still less to legislate thereon.* This is a queer confusion of thought; for evidently, while the question concerns scientific matter and the practice of scientific men, it is nevertheless wholly, strictly, and exclusively ethical. It is merely a question of right and wrong, simply this: Is it right to perform painful experiments on animals? In deciding this question, it is clear that we must look to the physiologist alone for the facts, believing they will be given without retrenchment or distortion. We expect from him such as are fairly representative, and must not allow a partisan opponent to fright us with an assorted string of horrors worked up with blood-curdling rhetoric. We must rely exclusively upon the physiologist for an estimate of the proportion of pain-giving experiments,

* Here is a deliverance of a professor in the Paris School of Medicine, furnished by one of his pupils: "The true ground of our vindication is that if once we permit moralists and clerics to dictate limitations to science, we yield our fortress into their hands. By and by, when the rest of the world has risen to the intellectual level of France, and true views of the nature of existence are held by the bulk of mankind, now under clerical direction, the present crude and vulgar notions regarding morality, religion, divine providence, deity, the soul, and so forth, will be swept entirely away, and the dicta of science will remain the sole guide for sane and educated men. We ought, therefore, to repel most jealously and energetically all attempts to interfere with the absolute right of science to pursue her own ends in her own way, uninterrupted by churchmen and moral philosophers, forasmuch as these represent the old and dying world, and we, the men of science, represent the new."

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and of the degrees of pain involved, so far as these points may concern the question. We must accept without demur his judgment of the importance of this method of investigation, to general science and to the medical arts, both retrospectively and prospectively; for he alone can judge of the true relation of what he knows to what he hopes to know, this judgment being a sort of trained instinct of whose process no account can be required. Medicine is still in its cradle; but it has already strangled some serpents, and it is reasonable to expect a herculean growth. So, when we hear such savants as Pasteur and Virchow, Owen and Huxley, Humphrey and Foster, Simon and Fraser, Paget and Carpenter, unitedly affirming that "the remarkable advance in medical science and art during the past twenty years is due to experiments on the lower animals," we give no heed at all to the dogma of Cardinal Manning, that "it is a detestable practice, not attended with scientific results," or to the opinion of Chief Justice Coleridge, that "the practice is displeasing to Almighty God." In this case we will take counsel, not of the priest, nor of the Levite, but of the good Samaritan.

With the facts and their estimated value thus laid before us, we may proceed to consider the questions: Is it right? Shall it be allowed? The first is a question of ethics, of casuistry, a pure case of conscience. The second is a question of social order. It is absurd for scientists to forbid us common folk to judge and determine these points. It is absurd for them to warn us off this ground; for here we are upon our own ground, and will surely hold it. We might fairly retort, that if experts alone are to be heard, then those alone competent in this case are not at all the experts in physical science, but the experts in ethical science, and the experts in political science; those who have made a special study of rights and duties, and those who have studied the best means of enforcing them. As the question before us is not physiological, but ethical, so, on the other hand, it is, though ethical, not at all sentimental. It is a very common and a very great error to consider ethical questions to be questions of sentiment, and I know of no more notable case than the present. The horrors of vivisection are emphasized by the zoöphilists as decisive. Our sympathy with our suffering fellow-creatures is aroused, our pity is painfully stirred by highly wrought descriptions of frightful tortures, and then, with an appeal to our humanity and piety, we are asked if these

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things are not an outrage upon the best impulses of our nature, and an offense to the loving God who made us all.

Let it be distinctly understood that questions of morals are not to be settled in this way. We cannot decide the right or wrong of vivisection by the abhorrence it naturally excites. The butcher's trade is revolting, but we pay him well. We shudder and turn sick when we pass by the anatomical dissecting-room, but it is now licensed. The physiological laboratory is perhaps questionable, but the horrorized sentimentalists must stand aside if they will not listen to reason. That the sight of agony is shocking, that cries of pain are distressing, that we look with abhorrence on the shedding of blood, and turn with loathing and disgust from torture, are all according to natural order, and in their place have excellent working as impulses to relief. But these feelings should be controlled until judgment is rendered. Primarily they excite attention, subsequently they impel to action, but, unless suspended meantime, they becloud and embarrass investigation. It cannot be too strongly said that feeling is no guide for judgment, and especially that it cannot settle for us important questions of right and wrong, of justice and injustice, of humanity and cruelty. Questions of morals require calm, cold reasoning on clearly recognized and admitted principles. In the light of these, conduct that seems detestable should be examined, and its moral quality determined, with no more feeling than what is needful to press the search. So, in the present inquiry, we must suppress the sentiment that hinders and obscures it, in order to judge freely and truly. Let us, then, be as heartless as Magendie himself in dissecting this throbbing subject.

Can the right or wrong of vivisection be determined by the principles of the utilitarian ethics? The utilitarian scheme maintains that whatever conduct tends to promote the happiness of mankind, to add to the sum of pleasures or diminish pains, to increase the enjoyment of life, is, from that cause alone, righteous conduct. Nothing is right or wrong in itself apart from its consequences; it is only so because of its consequences. It is not that the consequences throw light upon the moral quality, but that they determine it. Expediency does not merely prove justice, it makes justice. Actions having beneficial results are right by virtue of the results; actions that do harm are wrong, simply because they do harm. Evidently we

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have here the confusion that a remote effect is the direct cause of a quality in its cause; but we pass that.

When we attempt to apply the principles of this scheme to the question of vivisection, we encounter at once, in an aggravated form, what may be called its characteristic difficulty, the weighing of pleasures and pains. Obviously, if we regard the welfare of man exclusively, the opinion of the savants that vivisection is advantageous determines that it is right, unless the physical benefits be counterpoised by demoralization. We grant that any actual demoralization would turn the scale; but while the physical advantage is a fact, the demoralization is only a dream, or at best a prophecy. It is generally admitted, however, that we should take into consideration the pains of the brutes. But what measure have we of pain, and especially of brute pain? What is its unit? Are the light sufferings of many to be accounted equal to the intense suffering of one? Moreover, supposing the quantity of pain in a given case of brute suffering were justly measured and found equal to the quantity in a given case of human suffering, are these equal quantities to be accounted of equal value? If not, what ratio subsists between them? These are hard and perhaps unanswerable questions. But, until they be answered, how can we decide the right or wrong of vivisection on the principle of utility? It is complained that the amount of suffering inflicted is out of all proportion to the benefits accruing to mankind, but this so-called disproportion has clearly many elements of uncertainty.* Other difficulties arise on a little considera-

* Dr. Gerald Yeo, F. R. C. S., Professor of Physiology in King's College, London, in defending vivisection as practiced in England, attempts an estimate, as follows: "We thus learn from the reports that in one hundred vivisections we should find the following numbers, arranged to show the amount of pain inflicted:

Absolutely painless	75
As painful as vaccination	20
As painful as the healing of a wound	4
As painful as a surgical operation	1

Pain forms, then, but a rare incident in the work of a practical physiologist in England; and when it is necessary that any be inflicted, every precaution is used to reduce it to a minimum." ("Fortnightly Review," March, 1882.) But we have the authority of Sir James Paget for saying that the sensibility to pain among men is as various as the "ear for music"; and M. Charles Richet says: "Il n'y a de douleur que s'il y a conscience et réflexion

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tion. It is evident that the utilitarian scheme of morals assimilates the principle that the end justifies the means, or rather that it sanctifies the means, at least whenever the good attained is greater than the injury through which it is reached. If the greater good that may come of it makes it right to dissect living animals, would not also the greater good that may come of it make it right to dissect living men? Compulsory vaccination is very near to human vivisection. The experiments of Heinrich and Dworzak on themselves, under the direction of Professor Schroff, and the test of the ordeal poison of Calabar, by the late Sir Robert Christison, which nearly cost him his life, are something nearer. And now, to the consternation of *La Ligue Anti-vivisectionniste* of Paris (of which M. Clovis-Hughes is an active and eloquent member), Madame Astié de Valsayre offers herself to M. Pasteur as the subject of any experiments he may choose to perform in *rabies*. Why not? If such acts are allowable, what good reason had Celsus for denouncing as atrocious the vivisection of Roman slaves, and the experiments on condemned felons at Alexandria? In the interest of science we give the bodies of executed criminals to the anatomists; why not, before execution, hand them over to the physiologists? Professor Ferrier, who has been obliged to content himself with monkeys, would surely be glad to dissect a series of living human brains. The utility to science and medical art would be inestimable, and we should have the additional utility of increasing the terrors of the law. Then, why not? I believe the utilitarian has no answer.

Again, by the principle of utility a present act must look to the future for its moral quality. But who knows the future? We need to know what is right beforehand; afterward comes too late. The theorist says that murder and theft are wrong, and healing and honesty right, because of their effects, and we know these by the experience of ages. But concerning vivisection we have no experience of ages, but only the doubtful experience, perhaps, of a single age. Grant that great benefits

sur cette douleur. Plus on est intelligent, plus on peut souffrir. Les animaux inintelligents sont incapable d'éprouver dans toute sa plénitude cette sensation que nous appelons la douleur. Leurs nerfs sont moins excitables, et surtout leur cerveau est moins susceptible de cette nette perception de soi sans laquelle il n'y a guère de douleur." ("Revue des Deux Mondes," February 15, 1883, p. 840.)

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have resulted, this is no guarantee for the future. The mine may be exhausted. Besides, what justified the first vivisectors? They need to have lived until now to find the answer of a good conscience. A utilitarian is unavoidably an evolutionist in morals. For him right or wrong is slowly developed in consequences, and it is impossible, without prophetic foresight, to ascertain the moral quality of a new case. He must wait on its effects.

It is very instructive to a student of ethics to observe how completely the principle of utility fails in a new case, how completely it has broken down in the present case. The English debate necessarily took an ethical turn, although few recognized and some denied the essentially ethical character of the point at issue.* Without distinct avowal, it proceeded on the low ground of utility, a principle that has infected English morals from Hobbs to Spencer. True, the "Zoöphilist" declared: "We repudiate the whole rotten system of morality to which such arguments belong," but nevertheless it went on to use them. The question mainly disputed was one of more or less pain. Mr. Colam "was engaged for some sixteen years in investigating the question of how much pain was given by physiologists." The charge of inflicting the most atrocious tortures was met in an apologetic tone by softening down the facts, by relegating the worst cases to the continental laboratories, and by diluting the remainder with mild instances. The dispute was about a comparative degree, not about a governing principle. The question was not and could not be settled thus. It still smoulders, ready to flame out again, a signal example of the practical insufficiency of the utilitarian theory.

The intuitional scheme of morals maintains that certain conduct is right or wrong in itself, regardless of consequences.

* Several articles appeared with the title, "Ethics of Vivisection," one of the ablest being that of Dr. Carpenter. Generally, the writers forgot the title, and discussed medical points. But Dr. Wilks did not forget, and, curiously enough, he concludes his article thus: "To endeavor to make vivisection a question of ethics, when moral considerations are altogether and confessedly ignored in a thousand other instances, is clearly illogical, and obviously prompted by an undue bias. In other words, the selection of the so-called standard of 'morality,' or of the 'rights of animals,' by which to measure the permissibility of psychological experimentation, is undeniably a prejudgment of the real point at issue." ("Contemporary Review," May, 1882, p. 30.)

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It starts with a moral principle that is affirmed to be pure truth, immediately known to every man, and incapable of proof and not needing it. From this principle men easily and clearly infer that murder and theft are wrong, that healing and honesty are right, without considering their effects, such actions being right or wrong in their own nature. In an obscure case, a consideration of consequences may help us to ascertain the intrinsic moral quality of an action, but does not at all, as in the utilitarian scheme, constitute or objectively determine its moral quality. The moral principle is recognized also as a law, a categorical imperative, conferring obligation and commanding unconditional obedience in complete disregard of all ends. This scheme repudiates the doctrine that the end sanctifies the means in any sense in which these terms can be used. Nothing can justify murder, nothing can authorize theft. The mere intent to do either, no matter for what end, is heinous guilt. But there is a large class of actions in themselves indifferent — as giving money — that acquire moral quality from the intent with which they are done, as charity or bribery. Here the purpose, not the effect, determines the moral quality.

Without attempting to formulate the moral law in all its comprehensive generality, it is sufficient at present to point out that it recognizes in man certain inherent rights, all rights being equally sacred, though of various extent; that the notion of a right carries with it the notion of possible trespass; and that the law, in its negative form, may therefore be taken to be, Thou shalt not trespass. In general, it is the right and duty of every man to seek his own welfare and that of his fellows. He has a right to use any and every means not wrong in itself. In human relations, an act wrong in itself, in its own nature, is so because it involves trespass on the rights of another, and this alone is strictly forbidden. Hence, in society the rights of individuals limit one another, and therefore vary with circumstances. So far, all is clear and unquestionable. Great practical difficulties frequently arise, as all litigation shows, in fixing the exact boundaries of rights limiting one another, and in determining in complex cases what is trespass.

Passing beyond this scheme of morals, we raise the question, Have brutes rights? Mr. Lecky tells us in his "History of European Morals," that this question made its appearance for the first time during the past century. So eminent a thinker

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as Dr. Hickock says: "The animal can possibly possess no rights." * If so, then the vivisectionist commits no trespass, does no wrong, has a right to pursue his experiments, and whoever hinders him commits a trespass on him and does wrong. For my part, I prefer the opposite doctrine, and agree rather with Bentham, that the brute has rights "simply because it is sentient," and that its rights are as sacredly inviolable as human rights. No man can trespass on the right of a brute without grievous wrong-doing, the more flagrant because of its helplessness. I think it needless to discuss the point. Let it be remarked, however, that the brute having rights relative to man, man has correlative duties to the brute, primarily the negative one not to trespass. On the other hand, man has rights relative to the brute, but the brute, being destitute of moral sense, has no correlative duties, and man maintains his rights simply by force. To determine the limits of the rights of man and brute is, no doubt, in many cases extremely difficult, but in general it is obvious enough that the welfare of the brute should give way to the welfare of man. Without endeavoring to discover the principle involved, it is sufficient to observe that this is universally allowed. "The animals are given for our use," said Lord Erskine, in advocating the Cruelty Act, "but not for our abuse. Their freedom and enjoyments, when these cease to be consistent with our just dominion and enjoyments, can be no part of their natural rights; but whilst they are consistent, their rights, subservient as they are, ought to be as sacred as our own." The pious, gentle, and genial Cowper is equally clear:

> "The sum is this: If man's convenience, health,
> Or safety interfere, his rights and claims
> Are paramount, and must extinguish theirs;
> Else they are all, the meanest things that are,
> As free to live, and to enjoy that life,
> As God was free to form them at the first,
> Who, in his sovereign wisdom, made them all."

This is in strict conformity with the law of kindness: Be kind to your kind. It is quite plain that according to the common sense, piety, and practice of mankind, to sacrifice the welfare of

* "System of Moral Science," revised by President Seelye, p. 36.

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the brute to the welfare of man is not wrong, for it is not a trespass on its rights, they having in that relation shrunk away.*

Let us endeavor to apply these principles specifically. We observe that the prime charge against vivisection is cruelty. The charge abounds, and no clear denial of it appears, but rather a justification and palliation, on the ground of utility. Now cruelty, in my conception of it, cannot be justified on any ground whatever; nothing can palliate or excuse it. Cruelty is essentially a trespass, a wrong in itself, a monstrous wrong, comprehending many forms of odious vice and crime. Certainly there are degrees in cruelty, from mere indifference, through wanton cruelty, up to the nameless form that finds pleasure in pain.† Still, in its mildest degree it is wholly loathsome and vile in itself, apart from its deeply demoralizing influences. But what is cruelty? The word is much used and much abused, and is sadly in need of clear and distinct definition. It implies pain. Is it cruel to give pain? No; the sur-

* In an admirable article in the "Revue des Deux Mondes" for February, 15, 1883 (already referred to), M. Charles Richet, under the title *Le Roi des Animaux*, defends his practice of vivisection. He says, in effect: The right of life and death over brutes results neither from caprice nor reasoning. It is a primordial law of nature, imposed on us before we could comprehend or even recognize it. It is an element in the general struggle for existence. "La lutte qui est perpétuellement engagée entre tous les êtres vivants, est une lutte sans merci, et nulle pitié n'est réservée au vaincu. Si, des clameurs confuses que soulève dans l'univers ce conflit sans fin, quelque cri se dègage, c'est bien le fameux cri du vieux Brennus, quand il jetait son épée dans les balances du Capitole: *Væ victis!* Malheur aux vaincus!"

† The physiologists have been accused of this devilish disposition. True, Mantegazza says: "These, my experiments, were conducted with much delight and extreme patience for the space of a year." M. De Cyon (in "Methodik," p. 15) says: "The true vivisector must approach a difficult vivisection with a joyful excitement. He who shrinks will never be an artist in vivisection. The true feeling has much in common with that of a sculptor." M. Renan describes Claude Bernard as standing like an august priest at the sacrifice, and so absorbed in the hallowed function of burying his long fingers in the wounds he has made as to forget the cries of his victims. This has reference to a passage in M. Bernard's "Introduction to the Study of Experimental Medicine" (p. 180), which says: "The physiologist is no ordinary man. He is a scholar, a man who is seized and entirely absorbed by a scientific idea. He does not hear the pain-wrung cries of the creatures. He is blind to the blood that flows. He has nothing before his eyes but his idea, and organisms that are hiding secrets from him which he means to discover." Surely, this is not to take pleasure in pain, but the enthusiasm of a scientific investigator. It is the pleasure of the chase, the most delightful and justifiable of all, the pursuit of knowledge.

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geon is not cruel, nor is it cruel to punish. Commonly it is defined as the giving of needless or unnecessary pain; but this is negative and vague. Let us define it positively and precisely: Cruelty is pain-giving trespass. This seems simple and clear, and to contain all the essence of cruelty. It is worthy of note that it is the pain-giving element that makes it shocking, harrowing, and damnable in the sight of pitiful folk. This may come of a tender heart, but not of a tender conscience. For it is the trespass alone, not at all the pain-giving, that makes cruelty morally wrong, vicious, wicked. It is the trespass that should stir reprobation; and, indeed, unless there be trespass, there is no cruelty. If vivisection be cruel, it is wrong; nothing can justify it, and civil law should forbid it. But is it cruel? That it often gives "atrocious pain" is admitted. Beware, now, of feelings; let us be calm, and remember that it is not at all a question of pain-giving, more or less, but a question of trespass. If not a trespass, it is not wrong. If it be a trespass, it is a pain-giving trespass, that is, a cruelty and a crime. But is it a trespass? When the brute's ordinary right to welfare, including exemption from inflicted pain, confronts man's right to welfare, it shrinks to zero and disappears. We enslave, lash, emasculate, and butcher domestic animals for service and food; we ruthlessly extirpate others when they become a nuisance, and nobody's conscience revolts, for these acts are not trespasses.* Hence, if it appear that human welfare, in yet higher respects, is dependent on vivisection, then *a fortiori* it is not a trespass. Let us see.

Physiology is the science of the functions of the various organs and textures of the body in its normal state, of the healthful working of the animal economy. It is the rational basis of pathology, or the science of disease, and of therapeutics, or the art of healing. These together make up medicine. From the time of Albert von Haller, who only a century and a half ago laid the foundations of physiology, a rational view of medicine has more and more prevailed, and the scientific element is steadily gaining ground on the purely empirical. Marvelous discoveries and applications, in a continuous series, have assuaged an untold amount of human suffering and prolonged innumerable lives; and we have the almost unanimous testimony of the medical profession, the only competent witnesses, that vivisections have

* No reference is made to the field sports, hunting and fishing, because as mere sports they seem to me to be a relic of barbarism, both cruel and demoralizing, and should, were it possible, be suppressed.

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largely contributed to this brilliant and beneficent progress of physiology in the near past, and that, in their opinion, further experiments are essential to its future progress. Indeed, it is evident enough that the advance and applications of every physical science depend on experimental investigation, and any purblind layman may see that, since physiology is a science of functions, the physiologist must observe and experiment on functions in play, on living actions, and that it is only when he thus knows precisely what the right actions are, that he can promptly detect any deviation from them, and rationally undertake to deal with causes of derangement. It seems, then, that the vivisection of brutes is a most important channel of human welfare.*

Moreover, man's greatest need is to know; knowledge is the very essence of his excellence, the chiefest end of his being. I do not say useful knowledge,—though, indeed, all knowledge is useful,—but pure science; for, leaving out all thought of its practical application, this of itself is in the highest degree conducive to the perfection of humanity. Man lives for the unfolding of his faculties, the full and harmonious development of his powers, the perfecting of his character. Even if we adopt the orthodox doctrine that man is for the glory of God, still it is true that only in the accomplishment of his own perfection can he as a creature manifest the glory of his Creator. Now, the practical physiologist is in pursuit of knowledge, he is seeking to add some fragment of truth to the temple of science, and so is certainly on the way to promote human welfare. If, then, knowledge be our highest welfare, and if in the pursuit of knowledge the brute stands in the way, all its rights vanish.

The conclusion seems clear that, before such stupendous advantages to the human race, the right of the brute to exemption from inflicted pain becomes null. Hence vivisection is not a trespass, and so is not cruel and not wrong. As a merely pain-giving operation, it belongs fairly to the class of actions that are in themselves morally indifferent, and has its moral quality determined by the intent with which it is done.

* "What has Vivisection done for Humanity?" is the title of an article in the "British Medical Journal," for January, 1875, by Dr. J. G. McKendrick, Lecturer on Physiology at Edinburgh. It cites twenty-two discoveries of the highest scientific and practical value as due to vivisection. But the list is far from exhaustive. It omits, for example, Magendie's method of hypodermic injection, and the important fact that nearly all the most valuable new remedies added to the pharmacopœia since 1864, among which are the anæsthetics, chloral-hydrate, and nitrite of amyl, are due to vivisection.

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Supposing always the vivisector to be a scientific investigator in pursuit of valuable knowledge, it follows that his conduct is righteous. Sound logic leads us further. Whatever is right is duty. It is not merely the privilege of the physiologist to practice vivisection, it is a duty that he owes to society. Having accepted or assumed the burden of his important vocation, he is under obligation to do everything in his power for the increase of human knowledge, the prolongation of human life, and the mitigation of human suffering. He must remember "how much better is a man than a sheep," and the words, "Ye are of more value than many sparrows." If it be true that "mercy but murthers, pardoning those that kill," then the tenderness that would spare the brute is cruelty to mankind. And this cuts both ways. For whoever hinders the physiologist in his duties by exciting public odium commits a trespass on him and on society at large, in whose interest he is laboring, and so does a multiplied wrong; and should this hindrance be pushed to legal oppression or prohibition, the shambles may rejoice, but the wronged hospitals will surely take up the wail of Antigone: "Neither God nor Justice sat in council at the making of those laws."

Nevertheless, restrictions need to be imposed. Even the most thoroughly justifiable vivisections are on the verge of cruelty and crime. Of this the physiologists are themselves fully aware, and voluntarily accept stringent limitations. In 1871, the British Association resolved as follows: First, that "no experiment which can be performed under the influence of an anæsthetic ought to be done without it"; second, that "no painful experiment is justifiable for the mere purpose of illustrating a law or fact already demonstrated"; and, third, that "whenever, for the purpose of new truth, it is necessary to make a painful experiment, every effort should be made to insure success, in order that the sufferings inflicted may not be wasted."* These resolutions are signed by the President of the College of Physicians, the President of the College of Surgeons, and many others, and are generally approved and observed by English physiologists. The Vivisection Act, which has been already referred to, is much more stringent. By it all experiments on living animals are prohibited, except they be performed under a license granted by the Secretary of State, and done in a registered place, with the exclusive object of making such dis-

* "Report of the British Association for the Advancement of Science," 1871, p. 144.

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coveries as shall be "useful for saving or prolonging life, or alleviating suffering." Moreover, "the animal must, during the whole of the experiment, be under the influence of some anæsthetic of sufficient power to prevent its feeling pain," and be killed before it recovers. The experiments must not be used to illustrate lectures or to attain manual skill. Exemption from these restrictions, in special cases, may be granted by an authorized scientific commission; but the public exhibition of any experiment likely to cause pain is absolutely prohibited. The English physiologists complain bitterly of this Act as the product of a spirit of persecution, as oppressive and tyrannical, and as so hindersome in its operation as to be practically preventive of their work. By it Dr. Brunton's study of cobra poison was stopped. He was seeking an antidote for the relief of the twenty thousand persons who, in India, annually die of this venom. Pasteur's inoculations for the mitigation of the cattle plague, beneficent to brutes, encouraged by the French Government, and applauded by the civilized world, could not have been performed in Great Britain. There it is permitted freely to vaccinate infants, but not rats. This, if no more, is clearly much too much; the restriction needs restriction.

It is always hard to hit exactly between too much and too little. It would seem wiser, however, to license, not the experiment, but the experimenter, and him only upon the recommendation of some recognized college of medical men, he being then left by law entirely free to work in his own way and to whatever extent he finds needful, but limited to scientific investigation. He should be left in this to his own conscience and compassion, and to the good or bad opinion of his professional peers, who alone are competent to judge his working, and whose restraining judgment he dare not disregard. The law should prohibit all public exhibition, and all mere demonstration as distinguished from investigation. Such limitations would protect animals from being dealt upon by untrained and incompetent persons, they being amenable to the laws against cruelty, and would guard the public from shocking and demoralizing spectacles. But it is impracticable now to argue these suggestions, or to enter upon detail. I am emboldened in venturing to make them by the belief that they are in accord with the views of the medical faculty, and would, if enacted, fairly satisfy all the reasonable demands of a humane public.

NOAH K. DAVIS.

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BUDDHIST CHARITY.

My dear friend, the late Dean of Westminster, once said: "I remember the time when the name of Gautama, the Buddha, was scarcely known, except to a few scholars, and not always well spoken of by those who knew it; and now—he is second to One only." This shows that we are not standing still, that our horizon is growing wider, and our hearts, I believe, growing larger and truer. There was a time when it was almost an article of faith that you could not be a true believer in your own religion unless you also believed that all other religions were false; and false not on certain points only, but altogether false, altogether mischievous, the very work of the devil. They might teach the same doctrine, they might use almost the same words, still the one voice was supposed to come from heaven, the other from the very opposite region. Nor was this prejudice peculiar to Christians only. As they divided the world into true believers and heathens, the Aryas of India looked upon themselves only as twice-born, or regenerate, upon all the rest of mankind as Sûdras and Mlekkhas. The Jews knew of one chosen people only, all the rest were Gentiles; while the Mohammedans spoke of all, of Hindus, Jews, and Christians, as mere Kafirs or unbelievers, and declared that they only were the true Muslim, that is, the people who trust and submit.

At present, all the great religions of the world, all the dialects in which man has tried to speak of God and to God, are treated with perfect equality. The stronger the faith in one's own religion, the stronger also the readiness to judge of other religions with kindness and tenderness, and almost with indulgence. This strikes me as one of the most characteristic tendencies of our century—I might almost say, of our age. Formerly a student of theology was expected to have read the Old and the New Testament, and possibly, if he was very

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learned, he might try to read the Korán. But as to reading the sacred books of other religions, the Vedas, the Avesta, the Tripitaka, the Kings of the Chinese, it was never dreamt of, and to suppose that they could teach us anything would have been considered an insult. The University Press at Oxford has just finished the first series of translations of the "Sacred Books of the East," consisting of twenty-four large octavo volumes; and as the result, so far as the interest of the public is concerned, has not been discouraging, a second series has been started, which is to comprise as many volumes again. Surely there is an increasing purpose perceptible in all this, and we may feel that we have not altogether labored in vain. We all believe in the duty and the delight of charity. But we are not satisfied to know what Christ taught on charity. We want to know whether we stand alone in our belief in charity, whether Christianity alone inculcates that sacred duty. It is not that we have any doubt as to the supreme duty of charity, but, knowing that the same heart beats in all human breasts, we want to know what the Buddha taught on alms-giving, what Mohammed taught, what the best among the Greeks and Romans taught. And we want to know all this, not as a matter of mere curiosity, but as a matter of the deepest human concern.

If men had been originally wild beasts, then, no doubt, it would have required an angel from heaven to persuade them to give up a bone they were gnawing and to share it with their starving fellow-creatures. Then, no doubt, that religion only would be true which, by some supernatural authority, could frighten human beings into doing what is so unnatural. But if the witness of truth was present in the hearts of men at all times and in all places, in the hearts of the lowest savages as well as of the highest sages, then this general recognition of the duty of charity in all religions serves as a confirmation of our own faith, or, at all events, as an admonition to fulfill a duty so universally recognized as charity, more faithfully and more zealously than the followers of any other faith.

So much has been written of late on Buddhism, that I ought to make it quite clear that, when I speak of Buddhism, I mean real, historical Buddhism, not esoteric, exoteric, or any other kind of fashionable Buddhism. Historical Buddhism took its rise about five hundred years before Christ, and it can be

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studied in historical documents, the date of which admits of little doubt. We have, first of all, the inscriptions that King Asoka had graven on rocks and pillars scattered all over India, from Afghanistan to Orissa. These records date from the third century B. C., and are as intelligible now as the old Latin inscriptions of the Scipios. Nothing can shake their historical value as attesting the existence of Buddhism as the state religion in the kingdom of Asoka in the third century B. C. Secondly, we can study historical Buddhism in its canonical books, which exist in two collections, the one written in a peculiar kind of Sanskrit, the other in one of the Prâkrit, or popular dialects of India, commonly called Pâli. The Pâli canon was reduced to writing during the reign of Vatta-Gâmani, who began to reign in 88 B. C.* Before that time, the sacred books had been preserved by oral tradition only. We are told that the first collection of the doctrines of the Buddha was made at the First Council,† and shortly after the death of Gautama in 477 B. C. During the century that elapsed between the death of the Buddha and the Second Council, 377 B. C., considerable additions had been made to the sacred literature of the new religion, and whatever could claim canonical authority was collected, at the Second Council, in what is called the "Three Baskets," the Tripitaka, the Bible of the southern Buddhists. By southern Buddhists I mean chiefly the Buddhists of Ceylon, Burmah, and Siam. A second collection of sacred writings was made by the northern Buddhists, those who spread their doctrines from India to Thibet, China, Mongolia, and Japan. It is written in Sanskrit, partly in prose, partly in poetry, and often in very corrupt dialects, commonly called Gâthâ dialects. The date when this collection was made is more difficult to determine, but as we know of Chinese translations of some of its books dating from the first century after Christ, we may safely suppose that some kind of canon of the northern Buddhist Bible also existed before the beginning of the Christian era. It should be remembered that the southern and northern canons share much in common, whole chapters sometimes being literally the same, a fact that seems to point to the existence of a body of sacred texts previous to the compilation of these collections.

* See "Sacred Books of the East," vol. xiii., p. 35. † Ibid., p. 12.

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Buddhism, no doubt, has changed enormously, according to the character of the people by whom it was adopted, and to whose intellectual capacities it readily adapted itself. The Buddhism of the metaphysical Hindu is not the Buddhism of the matter-of-fact Chinaman, or of the stolid Mongolian, any more than the Christianity of Bishop Berkeley is the Christianity of a plowboy who can neither read nor write. Still, whenever we speak of historical Buddhism, we mean one Buddhism only, namely, that which in its two aspects of southern and northern Buddhism can be studied in its recognized canonical writings, as we study historical Christianity in the New Testament, and historical Mohammedanism in the Korán.

To my mind, having approached Buddhism after a study of the ancient religion of India, the religion of the Veda, Buddhism has always seemed to be, not a new religion, but a natural development of the Indian mind in its various manifestations, religious, philosophical, social, and political. I purpose now to consider Buddhist charity, which is, as it were, the full bloom of that more ancient charity that was preached in the Veda, and practiced during the Vedic age. It has always struck me as exceedingly strange that in a country like India there should be any call, any room for charity. Nature in India is so kind a mother, and man is a child so easily satisfied there, that one wonders how anybody could have been poor. In ancient India anybody might have land who would clear it. The game belonged to him who stuck his arrow into it. The rivers were full of fish, the trees full of fruit. There was enough and more than enough for everybody, and yet there were the poor begging at the doors of the rich. Just think that, even at present, with all the new artificial wants that have sprung up, a man in an Indian village may live decently on a shilling a week, and a woman on even less. Fancy a married couple living contentedly on £5 a year! And yet with their small wants—say a mud cottage, a few rags for clothing, some rice, milk, and, as a great luxury, butter — the Hindus from the times of the Veda to the present day have always complained of poverty, and always praised liberality or charity as one of the first duties, and one of the highest virtues. Among the hymns of the Rig Veda there is one (x. 117) ascribed to Bhikshu. Bhikshu means a beggar, and is the name assumed in later times by the Buddha himself, and by every member of his

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brotherhood. In that hymn it is said that the gods do not wish that men should die of hunger, but that the rich should give to the poor. He who is charitable, the poet says, will never know want. Men are reminded that fortune changes, and that we are meant to be different. This at least seems to be the purport of the last verse, which says:

"Even the two hands, though the same, do not act in the same way:
Two cows of the same mother do not yield the same milk:
Even twins have not the same powers:
Even close kindred do not give the same gifts."

The same idea runs through the whole Veda. He who gives liberally is beloved by the gods; he who does not give is actually called impious, an unbeliever, a heretic. Nothing perhaps shows so clearly the difference between our modern society and the society of ancient India as that with us begging is punished by law, while the beggar in India was recognized as a legitimate member of the community, protected by the law, nay, watched over by the gods. No doubt we should remember that we know very little of the state of society in India during the Vedic period, except from sacred or priestly sources. Whatever we see, we can see through Brahmanic glasses only, and we have not even the means to correct their angle of vision, except by a kind of general skepticism. But, for all that, we may look on ancient Vedic law-books, which have lately been discovered, and which are certainly anterior to the so-called Laws of Manu, as giving us, if not a faithful record of human failures in India, at all events the ideal of what, according to the notions of their authors, life ought to be. And for a true insight into a man's character, are not his ideals often far more instructive than his failures? If I dwell for a moment on this ideal of ancient Vedic society, as supplied to us in the ancient law-books, it is because I hope to show that Buddhist society, as we know it from the sacred writings of the Buddhists, is far more the fulfillment than the denial of the ancient schemes and dreams of the Brahmanic law-givers.

Society, at least in the twice-born, the regenerate, and, in our sense, the upper classes, consisted in ancient times of four stages, called âsramas. The first stage was that of the pupil. When a boy had reached the age of eight, he was initiated, or appren-

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ticed to a Brahman, lived in his house, and was educated and taught by him. The boy was under the strictest moral discipline, and had to perform every kind of menial service for his master. What is important for our purpose is that every day the pupil had to go round the village begging for food, which he handed to his master before he was allowed to touch it. This was charity, but hardly voluntary. It was, in our sense, an educational rate levied not only on the parents of the children, but on the whole community, When his education was finished —hardly ever before the age of twenty—the young man was expected to marry and found a household. During this second stage the householder was still under very strict religious discipline. He had to perform constant sacrifices, every one of which involved charitable gifts to the Brahmans; and one of the five great sacrifices, which had to be performed every day, consisted in charity and hospitality to all who wanted it. Even animals had a right to daily gifts. This stage lasted till a man's children had grown up and his own hairs had become gray. Then, according to the old law, the father was expected to retire from the village into the forest, with or without his wife. His property went to his family. He himself was released from performing any but the simplest sacrifices, but he was expected to mortify the flesh by the most painful penances, and to meditate on the highest problems of life. During this third stage, the dweller in the forest, the Vânaprastha, or Vaikhanasa, was entitled to receive charity if he wanted it, but he was likewise expected in his humble way to show hospitality to all who claimed it. The final stage was that of the hermit, the solitary saint, or, as he was also called, the beggar, the Bhikshu, who had no longer any fixed home, not even in the forest, except during the rainy season. He knew nothing of the world, and, while engaged in meditation on the vanity of all earthly things, he looked forward to death as the moment of release. It is important to observe that, like the Buddhist mendicant, the Bhikshu, or beggar, was expected to shave his head, and that he also depended for his life on the charity of the people.

This was the Brahmanic ideal of life, which depended entirely on the recognition of the duty of charity in every stage. We may doubt whether this ideal was ever fully realized during the ancient Vedic period, but what we cannot doubt is that Buddhism achieved, in one sense, the full realization of this

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Brahmanic ideal. I have already pointed out how during the first and second stages of life the pupil and the householder were both completely under priestly sway. Every word of the Veda that the pupil learned from the mouth of his teacher was to be accepted as revelation; every sacrifice that the householder was expected to perform was considered as the fulfillment of a divine command. But as soon as a man entered on the third stage, as soon as he left his village, his house, his family, to dwell in the forest, first as an ascetic, and finally as a hermit, all was changed. He was not only released from nearly all sacrificial and ceremonial fetters, but he was expected to know the vanity, the uselessness, or even the mischievous nature of all ceremonies and sacrifices. And when all sacrifices and prayers, addressed to the gods with a hope of reward, had once been recognized as selfish acts, productive of evil rather than of good, the old belief in the numerous gods of the Veda also had to be surrendered, at first for a belief in one god, Pragâpati, the lord of all living, and at last for a belief in what we should scarcely call a god, the Brahman, or the highest self. We should think that a system apparently so self-contradictory could hardly be maintained for any length of time. Yet it is presupposed during the whole of the Vedic period. And what to my mind proves its historical reality more than anything else is this, that the whole social system of Buddhism is evidently built upon its ruins. Even during Vedic times we hear the murmurings of an approaching storm. Thinkers, both young and old, asked the question, "Why, if all the gods of the Veda are mere names, if all discipline is unnecessary torture, if all sacrifices are a deceit, all domestic cares and affections a snare, all penance mere cruelty, why should the best part of our life on earth be wasted on such things? Why should we not enter at once into the freedom of thought which all who have entered on the third and fourth stages praise as the highest blessing on earth?" Answers of various kinds were given. First of all it was said to be impossible for the human mind to perceive the highest truth before the body had been disciplined, the passions subdued, and the mental atmosphere rendered calm and serene. Secondly, the domestic cares and affections, though for a time drawing away our thoughts from the highest objects, were represented as a debt due to our forefathers, and as a necessary condition of the continuance of human society. The belief in a number of per-

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sonal gods was defended as harmless, because all these mythological names were really intended for the one God, or for that which is even beyond all gods.

Such explanations may have answered for a while, but the doubts of the few and the dissatisfaction of the many grew stronger and stronger, till at last the old dams and dykes of Brahmanism were swept away by that strong tidal wave that we call Buddhism. Buddhism, in one sense, was simply the carrying out, or the practical realization, of the half-uttered thoughts of Brahmanism. If sacrifices, particularly those that involve the killing of animals and extravagant expenditure, are not only useless but mischievous, Buddha said, "Let them be forbidden." If the Vedas have no claim to a revealed character, let them be treated like any other book, but do not waste your whole youth in learning them by heart. If the Vedic gods are mere figures and names, let us look for something that is more than figure and name. If penances, particularly those excessive penances of the dwellers in the forest, benefit neither the spirit nor the flesh, but produce only bodily decrepitude and spiritual pride, let them be abolished, or at all events rendered less severe. Lastly, if he who leaves home, and wife, and children, or who never knew what a home was, is nearer to heaven than the best of householders, let all who can, leave their homes as soon as possible and become "homeless," the very name that Buddha gave to the members of his fraternity.

It is true that Brahmanism already tolerated certain exceptions. A pupil, if he did not wish to marry and become a householder, might remain as a perpetual pupil and under strict discipline in the house of his master. Now and then, also, we hear of a householder who, without passing through the penances of the third stage, became at once a hermit, fully enlightened, fully emancipated from all fetters. But what formed the exception before became the rule when the Buddhist fraternity had once been established. That fraternity was a new society. It was open to all, though it did not condemn those who refused to enter, if only they were willing to support the fraternity by regular alms, as they had formerly supported the mendicants, whether as students or as hermits. Here we see the Buddhist solution of the old social problem. All who were poor, miserable, heavy-laden, were welcome to enter the fraternity. No brother

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or friar possessed anything, and even the rich young man who wished to follow Buddha had to give up all his wealth and all outward distinctions before he could become a real disciple. We see from the large numbers that flocked to join Buddha's new brotherhood how much poverty, how much misery, wretchedness, and sin must have existed in that country that seemed to us an earthly paradise. Rules had soon to be laid down to guard the brotherhood from unworthy applicants, but once admitted, his head having been shaved, a man was safe in his yellow dress. He belonged, not only to a new society, but to a new state within the state, recognized by the state and supported by the people at large. Once or twice a day the friars were allowed to go from house to house collecting alms. These collections were a kind of voluntary tax for the support of the poor, and as every kind of contribution might be given, from a handful of rice to large tracts of land, the wealth of the Buddhist fraternities all over India became very considerable.

This social side of Buddhism is but seldom taken into account, though the social revolution it represents has few parallels in the history of the world. Most people are attracted by the doctrines of Buddhism, by its moral code, its parables, and its metaphysical teaching. But as one of the many solutions of the problem of poverty, or as an attempt at constructing a society in which no one should stand alone or feel himself forsaken, in which each neighbor should love his neighbor as himself, not only in word but in very deed, I think it deserves the attention of all who are interested in the historical development of charity. In one sense, Buddhism and charity are synonymous terms. The Buddhist brother lives on the charity of his brotherhood, or of the monastery or college to which he belongs. The brotherhood lives on the charity of what we may call the laity, the Upâsakas, those who, though they do not join the brotherhood, support it as a religious duty by their alms. Charity, therefore, is the very life and soul of Buddhism; or, as it has been expressed by a Buddhist, "Charity, courtesy, benevolence, unselfishness, are to the world what the linchpin is to the rolling chariot." But charity with the Buddhists is not confined to giving alms; charity with them is one of the six, or ten, highest perfections, what they call pâramitâs, and then becomes complete self-surrender, carried to such an extreme

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that to our western minds it is unreal and almost grotesque. The pâramitâs are: charity, morality, long-suffering, earnestness, concentration, wisdom, and prudence.

Buddhism is very fond of parables; in fact, most of the fables and parables of European literature come from the East. Instead of long philosophical or moral discussions, the Buddhist Scriptures constantly give us a short parable. And there is a very peculiar class of parables called Gâtakas, or stories of former lives. Strange as they seem to us, they are quite natural in Buddhism. No Hindu, whether Brahman or Buddhist, was ever so foolish as to imagine that his real existence began with this life of his on earth. While much of our moral teaching is based on a belief in rewards and punishments in a future life, the Buddhist morality was based on a belief in rewards and punishments in this life. When we ask, and ask in vain, why a man whom we know to be good is overwhelmed with misery, while another whom we know to be bad enjoys every blessing that life can give, the Buddhist is never at a loss. It is so, he says, because the man had done good or evil in a former life, which is now bearing fruit. It cannot be otherwise, according to the Buddhist views of the world, and according to the Buddhist views of the continuity of good and evil for all time. And the moral effect is much the same. The unhappy man is told that he is suffering here justly for his former misdeeds, and that, knowing now the wages of sin, he must strive continually to lay up a better store for the life to come. A happy man is told that, having once tasted the happiness that can only be the reward of good works, he ought to strive all the more to secure his further progress toward the highest perfection. No one is exempt from the law of cause and effect, not even the Buddha himself, at least before he became Buddha, that is, "fully enlightened." Before he could reach Buddhahood, which is a rank higher than that of all the gods, he had to work his way from the lowest to the highest stage, and had to pass through many existences before finding himself, or his true self, and thus reaching the highest beatitude.

The Buddha, when fighting on earth his last fight with the powers of darkness, with Mâra, the lord of death, the spirit of evil, challenged Mâra by saying: "To me now belongs the throne that was occupied by former Bodhisattvas after they had practiced the ten perfections. Or canst thou produce any

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witness as to thy having practiced the high virtue of charity?" Then the spirit of darkness stretched out his hand and called upon his followers, saying, "All these are my witnesses." And a shout arose from the people, crying, "We testify, we testify!" Then Mâra, the evil spirit, said, "And thou, Siddhârtha,* who can bear witness to thy acts of charity?" The Buddha replied, "Thou hast living witnesses here. I have none. But I call upon the earth, though she is unconscious, to bear witness that during my last existence, I, as Vessantara, performed seven hundred great acts of charity, to say nothing of acts of mercy performed in earlier existences." Then he drew his right hand from under his cloak and stretched it forth to the earth. And a voice arose from the earth, saying, "I can bear witness to thy charity." And such was the thunder of that voice that it crushed the host of the enemy. The followers of Mâra fled, and heavenly voices shouted, "Mâra, Death, is conquered! Prince Siddhârtha has triumphed!"

The story of the Buddha's last life as Vessantara, to which the Buddha himself here appeals as the crowning achievement in his endeavors to become a Buddha, is one of the most popular with the Buddhists in all parts of the world. It exists in the northern and in the southern canon. We see it represented on some of the earliest Buddhist sculptures, and we shall probably not be wrong in looking upon it as the earliest attempt at telling the history of the Buddha, previous to his last life on earth. The story is rather long, and I shall have to shorten it. In spite of eastern fervor and eastern extravagance we can easily discern behind the theatrical veil the high ideal of charity that enlightened the minds and warmed the hearts of the early followers of the Buddha, as it enlightened the minds and warmed the hearts of the early followers of Christ.

"There ruled in remote times in the city of Gayaṭurâ (the capital of the Siwis) a king called Sanda. His wife, Phusati, had desired for many years to become the mother of a Buddha. At last she had a son, whom they called Vessantara. From the moment of his birth (for he could speak at once) he gave proof that his heart was full of charity. When he had arrived at manhood, he married the beautiful princess Mâdrî. His father ceded the kingdom to him, and during the few years of their happy married life two children were born to them, called Gâliya and Krishnâginâ.

* The name given to the Buddha by his parents. It means "he in whom or by whom all desires are fulfilled."

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"At this time there was a famine in Kalinga, and the king of that country, hearing that Vessantara possessed a white elephant that had the power to cause rain, sent eight Brahmans to ask for it. When they arrived, King Vessantara was just riding on the white elephant on his way to the public alms-hall to distribute the royal bounty. He asked the Brahmans what they wanted, and when he heard their request he expressed his regret that they did not ask for more; for his eyes and his very life would have been at their service, if by such generosity he might in the future become a Buddha. The people, however, were displeased at the departure of the white elephant, and requested the father of King Vessantara to punish his son for his reckless generosity. The father consented, and the next morning King Vessantara was banished to the rock Vankagiri. The young king accepted his punishment gladly. He told his wife that she might remain at court to watch over their children; but his wife declared she would rather die than leave him. They then collected all their treasures and distributed them among the beggars. Their treasury was thrown open to the people, who swarmed in like bees flying to a forest covered with lotus-flowers newly blown. When the king and queen had given away all their valuables, elephants and horses, jewels and pearls, they took leave of their parents and departed toward the north in a chariot, the young queen taking her daughter in her arms and her son by the hand. The queen-mother sent after them a thousand wagons filled with useful and valuable things, but they gave them all away.

"Soon after their departure two Brahmans, who knew of Vessantara's charity, came to ask alms from him, and when they found he had left the city they followed him and asked him for the horses of his chariot. Vessantara gave them at once, but Indra, the king of the gods, immediately replaced them with four divine horses. They had gone but a few steps further, when another Brahman beggar cried out, 'Sir, I am old, sick, and weary; give me your chariot.' Vessantara descended from his chariot, gave it to the beggar, and proceeded with his wife and children on foot. Though the road was rough, and they had now to live on the fruits of trees and water from the ponds, their minds were full of happiness, from the remembrance of the alms they had bestowed on the beggars.

"On their way north they had to pass through the kingdom of the father of Mâdrî, Vessantara's queen. They were persuaded to stay with him seven days, enjoying all the luxuries of his court, but they then proceeded further on their painful journey to the rock Vankagiri. When they had arrived there, they found two huts, built for them by the architect of the gods. They now assumed the dress and adopted the life of ascetics. Vessantara dwelt in one hut, his wife and children in the other. Only when the mother went into the forest to collect fruits, the two children came to stay with their father.

"When they had thus spent seven months in the solitude of the forest, an old Brahman, who wanted a slave for his young wife, came to Vessantara's hermitage. During the night, while the old Brahman was in hiding in the forest, the mother had a frightful dream. She saw a black man, who cut off her arms and tore out her heart. The next morning she went, as usual, though with a heavy heart, to gather fruits for the children, and while

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she was away the old Brahman came to Vessantara, demanding as an alms his two children. The father rejoiced at this new sacrifice. True, he first tried to persuade the Brahman to wait till the mother had come back to bid a last farewell to her children, and he then asked him to take the children to his father's court, where they would be ransomed with boundless treasure. But when the Brahman insisted on carrying off the children as his slaves, the father yielded assent. The children, on hearing the conversation, became frightened, ran away, and hid themselves under the leaves of a lotus growing in a pond near their cottage. The Brahman accused the father of having himself sent the children away. Then Vessantara cried aloud, and when the little boy heard his father's voice, he said: 'The Brahman may take me; I am willing to become his slave. I cannot remain here and listen to my father's cries.' He then tore the lotus-leaf that covered him in two. His sister did the same, and both children stood crying and clinging to their unhappy father. At last the father, seeing that thus only he could become a Buddha and save all beings from the misery of repeated births, poured water on the head of the Brahman, thus delivering the children to be his property and his slaves."

More harrowing scenes follow. The children escape from the old Brahman and run back to their father. The boy wants to see his mother once more; and then he wishes to go alone, because his little sister is too tender and unfit to walk on the hard stones. Soon, however, the old Brahman, looking like an executioner, returns and claims the children once more, ties them together by a withy, and drives them along with a stick. When the father sees the blood trickling down their backs, his heart begins to fail him once more; but it is too late. The poet now describes how the children passed along the shady places where they had often played together, and the cave in which they had been accustomed to make figures in clay, and the trees growing by their favorite pond. "Fare ye well," they said, "ye trees that put forth your beautiful blossoms, and ye pools in whose waters we have dabbled; ye birds that have sung us sweet songs, and ye nymphs that have danced before us and clapped your hands. Tell our mother that we have given you all a parting farewell. You dear spirits, and ye animals with whom we have sported, let our mother know how we have passed along this road."

Enough of this, for even much worse is to follow. The poor mother, frightened by her dream and by other ominous signs, returns home, rushes into her husband's cottage, and asks, "Where are the children?" The father remains silent for a time, but at last he has to confess that he has given the children

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away because a Brahman has demanded them as an alms. On hearing this, the mother falls to the ground senseless. Her husband sprinkles her with water, and at last she revives. Then her husband explains to her that even the surrender of his children was necessary for obtaining the Buddhahood; and she exclaims: "The Buddhahood is better than a hundred thousand children; only let the reward for this act of charity be shared by the whole world." Husband and wife were now left alone in the forest, and the very gods began to be afraid of what might follow, namely, that Vessantara, if asked, would part even with his beloved wife. Indra, therefore, the chief of the gods, assumed the shape of a Brahman mendicant, and begged Vessantara to give him his wife to be his slave. Husband and wife look at each other, and say: "Yes, let it be so, if thus only Vessantara can become the Buddha, the saviour of the world." Then the earth shook, and Indra showed himself in his real character, telling Vessantara that his wife was to remain with him, and that as she now belonged to another—namely, to Indra—he had no right ever to part with her.

After this, of course, all ends well. The old Brahman dies from overeating. The children, Vessantara's father and mother, all their old friends, even the white elephant, come to the hermitage to conduct the two hermits back to their capital and their throne; and, after a prosperous reign, Vessantara ascends to the world of the Blessed, to be reborn once more only, as Gautama, the Buddha, the founder of what we call historical Buddhism, in the fifth century B. C.

Here we see what the Buddha meant by charity, not simply giving of alms, not simply giving out of our abundance, giving, in fact, what we ourselves do neither want nor miss, but a readiness to give up everything, even what is dearest to us; not only our jewels and our land, but our life, nay, even more than our life, our wife and children, that so we may obtain what is called Buddhahood, and be able to save ourselves and our brethren from ignorance, misery, sin, and eternal transmigration. I have said that Buddhism and charity are synonymous. It was charity, as preached and practiced in his last life, that enabled Gautama to reach the highest perfection in his life, when he preached and practiced the law. There is one more Buddha to come, who is called Maitreya, the teacher of Maitrï or Love. That love is described in the following words:

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"As a mother, even at the risk of her own life, protects her son, her only son, so let there be love without measure among all beings. Let love without measure prevail in the whole world, above, below, around, unstinted, unmixed with any feeling of differing or opposing interests. Then the saying will be fulfilled: 'Even in this world holiness has been found.'"

Will Buddhists ever learn that this Buddha of the future, this Maitreya, this teacher of love, not of the law, has appeared? Or is it really true that he has not appeared yet, and that we ourselves are living, like Gautama, five hundred years before Christ? Buddhism teaches in the very words of Christianity that we should love our neighbors as ourselves. And why? Not from any enthusiasm of humanity, but simply because they are like ourselves; because they suffer as we suffer, and rejoice as we rejoice. The Indian philosopher, however, goes a step further. He would show that we are all mere sparks or rays of light from one common source, perceptive glances of one common mind; that we all are one as soon as we know ourselves, and have found our true self in the highest self. Having reached that point, we recognize ourselves in others, and others in ourselves. We not only love our neighbors as ourselves, we know them as ourselves.

But even as a mere social duty, as a solution of social difficulties, charity, as enjoined by the Buddha, has its deep significance for us. Poverty and misery must have reached the same climax in India in the days of the historical Buddha that they have reached with us. On the one side absurd wealth, on the other hideous, hopeless penury. We read of a man who, when he wanted to buy a piece of land to present to the Buddha, was able to cover every inch of it with a gold coin. We read of beggars who came to the Buddha asking for a rag and a few grains of rice. What was the Buddha's remedy? He did not invent poor-laws, or work-houses, or outdoor relief. He did not say to the poor, "Might is right," "Property is theft," "Take what you can." He turned to the rich and said, "Give! Give not only one tithe; give not only what you do not want; but give all that is wanted to feed the hungry, to clothe the naked, to teach the ignorant, to nurse the sick, to save the sinner. Give, because nothing belongs to you, nothing can belong to you, neither land nor treasure, not even your own body. Give, because life is a fleeting shadow, which will soon pass away from you with all that you now call your own. Give, because what you leave to

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your own children, and not to all, is more often a curse than a blessing to them."

We all admit that the present state of things, what we see every day in our clubs and in our slums, in St. James's and in St. Giles's, cannot be right, and cannot last. Social philosophy and political economy stand by the death-bed of society, and with all their statistics and all their learning they stand helpless. They have nothing more to prescribe. Is there no remedy, then? Do the words that "the poor shall never cease from the land" really mean that there must always be squalor, starvation, and sin on one side of the street, and gorgeous extravagance, sensuality, and hypocrisy on the other? Was this life really meant to be nothing but a struggle for life, in which might is right, and the weakest are trampled under foot? Buddha saw what we see, Buddha saw what Christ saw, and he knew that there was a remedy for all this misery, the misery of the rich quite as much as the misery of the poor. One of the Buddha's many names was the Good Physician. And what did he prescribe? Something that required one grain of faith in another and a better world, one grain of love, or, as he called it, pity for those who are our neighbors, our brethren, nay even more than our brethren, one grain of nobility to feel that the hoarding of unnecessary wealth is mean, and one grain of wisdom to see that a bow bent too far will snap. The medicine that he mixed out of all these ingredients was called Charity, and if we may judge by the number of those who have taken that medicine, or by the new life it once instilled into a dead or dying society all over Asia, charity, and charity alone, true Buddhist charity, true Christian charity, will be, I believe, the remedy for all the evils from which our society suffers. We have heard its bitter cry. In England that cry may be hushed by royal commissions, in Germany it may be stifled by a state of siege. But there is one sweet remedy for that bitter cry—royal charity, such as was practiced by the young and fair prince of Kapilavastu whom we call the Buddha, and Christian charity, such as it was preached by Christ himself, though few of his disciples have had the courage to interpret his words as he meant them.

F. MAX MÜLLER.

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THE REVIVAL OF SECTIONALISM.

WHEN Abraham Lincoln and Stephen A. Douglas had their famous Senatorial contest on the stump in Illinois, the question discussed was whether slavery should be rigidly excluded from all the Territories of the United States. Upon this proposition Lincoln, who often had occasion during the debate to show that he was not an abolitionist, but a slavery restrictionist, took the affirmative. Douglas advocated squatter sovereignty, or that the people who first held possession of the soil of a Territory, making their homes upon it, should be free to manage their own domestic institutions, slavery included, in their own way. The aggressive antislavery men were dissatisfied with Lincoln, because he did not make war upon slavery within the States, with a view to its ultimate destruction. The vehement proslavery men declared hostility to Douglas, and demanded the recognition of the doctrine that the Constitution carried slavery throughout the Territories; that the holders of slaves had the right under the Constitution to call upon the authorities of the United States to protect them in their peculiar property, save within the free States, where they were entitled only to the return of fugitives.

It was the recognition of the wise moderation of Lincoln, aided by certain local advantages and strokes of generalship in the management, that caused the nomination that was made by the Chicago National Republican Convention of 1860. It was the antagonism of the slavery extensionists to Douglas, who was held to be unsound from the Southern point of view, because he would allow the squatters to exclude slavery from the Territories, that disrupted the Charleston Convention, caused the Democratic conventions held in Baltimore, and placed two Democratic Presidential tickets in the field, preparing the way for the election of Lincoln to the Presidency. Mr. Lincoln's election was strictly upon the ground of opposition to the na-

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tionalization of slavery. The Democratic party had divided, and so provided the conditions of defeat, on the question whether it should take the position that slavery was national and freedom sectional.

The representatives of the political power of slavery in the Charleston Convention were in the habit of saying that they regarded the form abolitionism took with Douglas quite as offensive as that which it assumed with other abolitionists, and it was one of their favorite expressions that they had no choice between men who refused them the constitutional protection of their property; and this was always coupled with the declaration that they would not allow their reserved rights to be disregarded in any case. They implied that it was no less their purpose to withdraw from the Union upon the election of Douglas, than in the event of the election of one who had still further developed the antislavery fanaticism. It is difficult to believe they were in earnest about this; but it was the logic of their attitude. They had for some years been threatening the dissolution of the Union by State secession in various contingencies, and the great mass of the people of the United States did not realize that they were terribly in earnest. Indeed, the eyes of the people did not seem to be opened until the bombardment of Fort Sumter. Then the opinion was formed that the programme of the secessionists had been carefully arranged with the view to disunion; that the action of the extreme Southern delegations in the Charleston Convention, which resulted in adjournment to Baltimore and final division and defeat, was caused by conspiracy; and that the Southern disunion element had promoted the election of Lincoln, that an excuse might be found for the call of conventions of States, that, in the phrase of the day, they might exercise their highest sovereign capacity in the adoption of ordinances of secession.

Throughout the Presidential campaign of 1860, the charge that was incessantly hurled at the Republicans was that they were a sectional party. The fact that they declared that slavery should not be made national, and that slavery was a despotism that permitted no discussion within its boundaries; that there was no such thing as freedom of speech, or press, or suffrage, in slave States; the fact that slavery was a tyranny that was utterly implacable, and insisted upon the "irrepressible conflict"; that intolerance was its vital principle,— by no means mitigated

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but rather sharpened and emphasized the violence with which the reproach of sectionalism was directed upon all who were not submissionists to slavery.

An effort was made during the war to weaken the national in behalf of the sectional cause, by appealing to the local pride of the North-west and seeking to arouse the West to antagonize the East. This was so complete a failure that it has hardly made a place for itself in history, but it should have recognition as the meanest and most vicious shape taken by Northern sympathy with the Southern rebellion. There are traces in some of the speeches of public men of Ohio and Indiana—who were opposed to the United States in the war—of the theory that there was a community of interest in the States of the Mississippi valley and that they should take care of themselves in common; but these are marks of dishonor blacker than distinct treason in waging war against the Government, for they meant a diversion, under false pretenses, against those who were fighting for the nation. There was no sectionalism that was not of slavery, and there is no sectionalism not peculiar to the territory where slavery existed and that is not a crop raised from the seed of that institution.

Surely the solid South represents no principle that can be defined in the business affairs of the country. It is the result of rebellion against the establishment of manhood suffrage. It is Democratic on account of the criminal intimacy of the relations between the Democratic party and the rebellion of the slaveholders. It ignores the unparalleled generosity of the victorious people of the United States when the Southern revolt was overcome by force of arms. It assumes the broad and equitable acts of reconstruction to have been impositions and insulting to a fallen foe. It disfranchises more than a million citizens, and complacently boasts of the powers by which the gravest obligations are evaded, and the registration in legal form of a ruling class is substituted for the fair return of the popular majority. It has come to this, that the most certain Democratic States in the Union for presidential purposes are those that are best known to contain a large majority of Republicans.

The work of reconstructing the conquered territory, when the armies of the rebellion had succumbed and dispersed, was one of the greatest delicacy. Perhaps it overtasked our statesmanship. There was an overpowering Northern sentiment in

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favor of giving those who had been defeated good terms. The very completeness of the victory that had been gained, and the enthusiasm aroused, caused the greatest anxiety that "our friends the enemy," under bayonet rule, should be dealt with in the large-hearted spirit of Republicanism. It was assumed that slavery was gone forever, and with it all its train of horrors and disabilities, including sectionalism in politics, and that we must show ourselves worthy of so mighty a triumph by dealing gently with those who had erred and surrendered. There was intense impatience with the delays in completing the structure of freedom and crowning the edifice. It was a painful thing that the gallant Confederates — of whose good qualities as soldiers there was an awful sufficiency of evidence — should not have the right of suffrage, and immediately enter upon their duties as citizens of the great republic, free at last from shore to shore.

This was the spirit of the North in the hour of unqualified victory, entering upon the work of rehabilitating the shattered States that had attempted secession. After the war was over, no atonement of blood was exacted. The martyrs to political principles in the South ever since, black and white, have been the friends of the nation. The perplexity was as to the colored people. The question was whether those who had been emancipated should be enfranchised. The people of the United States who had reëstablished over every part of the national domain the authority of the general Government, had acquired all the rights over the restored States that successful war ever gave anybody. If not, what was the use of the war at all? The assumption that the use we had for the Southern Confederates was to call them back at the point of the bayonet to resume under new auspices the old function of the representatives of the slave power to govern us, according to their interpretation of the Constitution and of their own importance that had forced the war, may be asserted, but can hardly be maintained.

Naturally those who had been distinguished as antislavery men were, in the transition state of the country following the war, highly influential, and the basis of their principles was the steadfast observance of the rights of man. It was their doctrine that, of all men, the poor man most needed the ballot. It was his right, his defense, his weapon. It was the one thing needful for the security of those who had yesterday been slaves.

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Men were not disfranchised in the great free States for ignorance, or on account of complexion or race or color. Why should there be discrimination against the poor man in the South, in the land where he had been oppressed? Were his wrongs reasons why he should be left without political force to help himself? And here two great currents ran together: the enthusiasm for the magnanimous treatment of the whites of the South, who had participated in the rebellion and lost their political rights, and the sentiment that favored placing the millions of slaves delivered from bondage by the military arm upon the solid ground of unqualified citizenship. The flood could not be restrained by those who thought dangers were discernible, and the policy of reconstruction that carried was that of universal amnesty and impartial suffrage.

The Confederate overcome by force of arms, and the freedman whose fetters had been severed by the sword, were joined together as citizens. This was the controlling consideration of the treaty of peace between the warring sections that was written in the amendments of the Constitution, and the execution of the policies defined was in the nature of a treaty obligation binding upon all American citizens. Under the system thus established we have had twenty years' experience. It cannot be truthfully said that all has been right on one side of a line, and all wrong on another. The problems before the Southern people have not been easy of solution. Indeed, they have combined almost all the elements of difficulty known among men in the constitution of society and the administration of government. The chances are there would have been better solutions than seem now to be at hand, if it had not been for the demands of partisan spirit, particularly the unprincipled character of the Democratic party, which left it free to encourage any prejudice that would give it aid, and to enter upon all intrigues for the accumulation of forces in an obstinate struggle for power, looking only to the spoils, the revenges, and the gratified vanities and conceits that success would bring. The party was ready for any mischief, and has accomplished that which is an immense misfortune.

The States that maintained slavery until the emancipation that the sword gave received in the adjustments of reconstruction thirty-seven representative electoral votes, and one old slave State became two free States, so that the political power

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of the South as a section was increased to an extent greater than that of the greatest of the States, New York. This was the representation of the enfranchisement of the freedman, and compensation for the restoration of all the rights of citizenship to those who had been in rebellion. The solidification of the South for the Democratic party has been achieved by disregarding the political rights and personal wishes of the colored citizens, and this very vote, thus conferred upon the South, has by the wrong described, which is a violation of the treaty obligation that closed the war and ended the military occupation of the conquered country, resulted in the election of a Democratic President and a majority of Democrats in the next House of Representatives.

The Union has not been reunited, as claimed by Mr. Watterson in his paper in the January number of this REVIEW, but sectionalism in its worst form has been revived. The terms in which the claim has been made that the unity of the country has just been reëstablished are full of insult and menace. They imply that the susceptibilities of the South, her provincialisms, localisms, and peculiarities must be humored, cultivated, and extended, made the core of our nationality, and confessed alone to impart its true flavor. Just as in other days it was the habit of the advocates of the divine right of the slave power to rule the land, to charge upon those who held that the freedom of the Territories should be maintained, that they were the enemies of the Union and the disturbers of the peace,— that they were sectional politicians and narrow-minded wretches, who were breeders of war and destroyers of commerce,— so it is to-day the fashion of the bosses of the solid South and their serfs to assail all who object to the methods by which the South is solidified, and to the inequalities of citizenship and of States that follow, and assert that they are carrying on a sectional warfare and are to be held responsible for the revival of sectionalism. The misdemeanor of sectionalism belongs to the section that was unhappily distinguished for slavery and rebellion and the war caused by the aggressiveness of the politicians who represented the survival of barbarism into our times. The Democratic party rests upon this section, and upon the fraud that controls in one mass 153 electoral votes; and it cannot fail to be subordinated to that fraud, which is one of such stupendous proportions that all others in our history are dwarfed in comparison.

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If these things are denied, it must be upon the presumption that we should never have opposed the extension of slavery, and never should do anything to cause the displeasure of the master class of the South. Before the war this class held millions of slaves, and wanted the run under the Constitution of all the Territories for the making of more slave States, that the slaveholders might be the ruling caste of the nation. If the present attitude of the Democratic party is right, the opposition to the rule of the slaveholders has been wrong from the first; and every step the Republicans have taken, from the election of Lincoln to the defeat of Blaine, has been a crime.

It is not disputed in the old strongholds of the slave oligarchy, where the fire-eaters were bred in fiery politics to interpret the Constitution as a slavery-preserving and slavery-extending instrument, that the fundamental doctrine to-day is, that this must be a white man's government, with all that the phrase signifies; and it means, among other things, that the emancipated slaves are enfranchised only so far as the whites please to permit. They may vote the Democratic ticket, but, in the States actually contested, that is as far as they can go.

Senator Brown, of Georgia, said in his speech at Atlanta, rejoicing over the election of the Democratic candidate for the Presidency:

"If the Republicans had not given the ballot to the colored race, and the Southern States had not acquiesced in it, the South would have had a smaller number by thirty-seven in the Electoral College than she now has. *This would have turned the scale in the present election, and, instead of the general rejoicing over the Union in our Democratic success, the Republicans would have been exulting over the success of their candidate.*"

And yet not one colored citizen from Pennsylvania to Mexico cast a vote that had an appreciable influence upon the choice of a single Presidential Elector.

It may not yet be offensively sectional to assume that it is of importance to assert the great Republican doctrine of fair play among men, and maintain the equality of the capacity of the citizens of the several States in the affairs of the general Government. Even if the doctrine were established that the war was constitutional only on the part of the Confederate States, it would be hard to sustain the proposition that citizens who took up arms to destroy the Union should have twice as much power

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in the election of Presidents and Houses of Representatives as those who fought to preserve the Union. There are striking points of similarity between the States of Georgia and Ohio, and comparisons have often been made between them. In Ohio, at the Presidential election of 1884, the average popular vote for each Presidential Elector was 37,371, and in Georgia 14,284. Such inequality apparent in several States, and year after year having such momentous consequences as determining Presidential elections and the political complexion of the popular house of Congress, must ultimately raise what has been termed "the primal question of manhood." The non-voting percentage of voters in Georgia, computing by the census tables and the election returns, is sixty-one; in Ohio, twelve. The application of the fact is made by the statement of it, and it is not worth while to multiply illustrations. The rectification of the wrong through which the Democracy gain the chief magistracy and the majority of the House of Representatives, cannot fail to be the burning issue before the American people all the time until justice is done by the establishment of the equal rights of the people who did not go into rebellion with those who did.

The political evil to the country of slavery itself was not as far-reaching, deplorable, and desperate as the solid Southern system would be, if tolerated until fixed in the public habit. That the people of the free North should be expected to sit down contented under an outrage upon them so gigantic as the turning of the votes of the enfranchised blacks against the national cause, and restoring the old Southern boss politicians to their ancient supremacy, is not reasonable.

The South is made solid for the Democratic party by the methods, and, as largely as the lapse of time permits, by the persons, employed in solidifying the same section in behalf of rebellion. The majority of the Southern white people were not rebels when the defense of rebellion was forced upon them by the ruling class of the section, and they are not bulldozers now; but the injustice that is done the colored people by depriving them of that share of their political rights which is especially precious and important, has a formidable tendency to increase and aggravation; and no agitation can be so dangerous as that an evil that rises up to overrule the nation shall be allowed to acquire the position and settled ways of authority and victory. The most hateful and injurious pretension of the

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times is that the whole South is and of right should be the property of the unprincipled and unscrupulous Democratic party. A sectionalism so degraded as is implied in this theory would be a threatening disgrace to the nation.

If it is to be accepted as history that under a Republican administration the country has labored under a long-continued dissolution of the Union, and that we could only have a "re-united Union" under Democratic auspices, it must be assumed that the election of Abraham Lincoln was a sectional aggression and defiance that the South was bound to resent; that the war was, in the language of Senator Bayard, "inaugurated by Abraham Lincoln and his Cabinet," and was unconstitutional; that the invasion and conquest of the Confederate States were high crimes against mankind and in flagrant disregard of "the compact" of sovereign States, which was all that the Union could claim to be; that negro suffrage was an insulting imposition on the South, which the whites are justified in circumventing by all the means in their power—by the superiority of the blood and brain of the race, as has been so often recently asserted; that the capture of the fifty-three Electoral votes that would be Republican with free voting and honest counting in the South, is a fair retaliation upon the Republicans for the increase of the political power of the South by the thirty-seven Electoral votes added on account of the enumeration of the blacks as citizens; that everything that has been done by the Republican party is unconstitutional. There could be no doctrine more revolutionary and destructive. If it is not to be permitted to speak freely of these things now, if it is sectional to proclaim the doctrine of the freedom and equality of all citizens of American nationality supreme over all States and sections, then there is never more to be free speech or fair play in America, and slavery is already restored in its most debasing influences; and the hideously vulgar despotism, broken by the war, is reëstablished by the first Democratic Presidential victory.

The Democratic victory must be considered an episode, and not accepted as a settlement. Southern sectionalism will be outgrown and finally overcome by the weight of that part of the country whose soil was not poisoned with slavery and stained by rebellion. The statistics of the election of November last in the thirteen Southern States are not wanting in cheering indi-

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cations. The table following shows the Democratic pluralities in the Southern States in 1880 and 1884:

State.	*Hancock's.*		*Cleveland's.*
1. Alabama	34,964	....	33,529
2. Florida	4,239	....	3,735
3. Georgia	48,085	....	46,064
4. Kentucky	42,762	....	34,839
5. Louisiana	27,051	....	16,193
6. Maryland	15,191	....	11,233
7. Mississippi	40,896	....	33,001
8. Missouri	55,042	....	33,059
9. South Carolina	54,241	....	48,157
10. Tennessee	21,892	....	9,180
11. Texas	108,835	....	132,168
12. Virginia	44,337	....	6,141
13. West Virginia	11,148	....	4,221
	508,683		411,520
Decrease of Democratic plurality, 1884, from 1880			97,163

The following shows the differences of the increase and decrease in the total of the Democratic and Republican vote in 1884 in the States named, as compared with 1880:

State.	*Dem.*			*Rep.*	
1. Alabama	Increase	1,788	..	Increase	3,223
2. Florida	Increase	3,841	..	Increase	4,345
3. Georgia	Decrease	7,961	..	Decrease	5,940
4. Kentucky	Increase	3,893	..	Increase	11,816
5. Louisiana	Decrease	2,527	..	Increase	8,331
6. Maryland	Increase	3,226	..	Increase	7,184
7. Mississippi	Increase	760	..	Increase	8,655
8. Missouri	Increase	27,379	..	Increase	49,362
9. South Carolina	Decrease	42,422	..	Decrease	36,338
10. Tennessee	Decrease	3,689	..	Increase	16,401
11. Texas	Increase	68,881	..	Increase	35,248
12. Virginia	Increase	17,521	..	Increase	55,717
13. West Virginia	Increase	9,926	..	Increase	16,853

In Delaware, there was a decline in the Republican vote. In Arkansas, Blaine received 8,000 votes more than Garfield, and in North Carolina 10,000 more. The Tennessee Republicans have made their great and beautiful State the most interesting politically in the Union. They elected fifty members of the General Assembly and three members of Congress, and they carried

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their ticket for Railroad Commissioners by a majority of 8,602. The Republican Executive Committee claim that their State will be the first to break the crust of the solid South, and the following figures of the result in November justify the claim:

In 1880 Hancock received a majority of	16,132
In 1884 Cleveland received a majority of	7,092
Showing a decrease in the Democratic majority of	9,040
In 1880 Garfield received a vote of	107,677
In 1883 Blaine received a vote of	124,078
An increase in the Republican vote of	16,401
In 1882 Bate and Fussell for Governor had a vote of	123,420
In 1884 Bate for Governor had a vote of	132,103
Decrease in Democratic majority for Governor of	25,965
In 1882 Hawkins for Governor received a vote of	90,660
In 1884 Reid for Governor received a vote of	125,308
Increase of Republican vote for Governor of	34,648

Next to Tennessee, the most promising Southern States politically are the two Virginias and Missouri. These are the border States of the solid South, as they were of the Southern Confederacy, and the feeling of those uppermost is that they are voting as they shot, for the supremacy of the section, and that their satisfaction must always be preliminary to peace. Kentucky will perhaps be the slowest in regeneration of the States whose pride is in low latitude and high temper and temperature. Her movement is gradual, and several Presidential elections are likely to take place before she becomes doubtful. The hottest places of the solid South in politics are not on the shores of the Gulf of Mexico, but on the Kentucky bank of the Ohio river. It is there that the election of Cleveland is held as proof that they have but to go right on as they have begun, to Southernize the nation and conquer the world.

It is impossible that the republic should be made permanently the political property of the minority class of the minority section. How shall the change that is unavoidable and essential to the peace and salvation of the Government and the people at large, be made? It can be promptly and peaceably done if they who have placed themselves in the wrong, and presumed that they have the rights of rulers, and that opposition

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to them is treason, do not adopt some of the methods of resistance that were tried in 1861. A critical point will be reached when in Missouri and Tennessee the Republicans carry those States as they carried Virginia a few years ago. There are reasons to hope that the Republicans in the Southern States, where a majority of them are white men, will not acquiesce in demonstrations that are meant to establish reigns of terror.

The hope that the South will cure herself of the secondary form of the disease of slavery is marred by the success of the Democratic party in the late Presidential election. The old sectionalism is inflamed, and sinister ambitions that had slumbered have been awakened. The task upon the country will not be as easy, so far as the South is concerned, as if there had been an unbroken succession of Republican administrations, but the experience before us will quicken the cause of Republicanism in the South, and forbid the further indulgence of the personal follies and the factious weaknesses that were so flagrant and pernicious through the late campaign. There should never again be a doubt of the defeat of a Presidential candidate for whom, without reference to any known principle or policy that could be avowed, the solid South is arrayed.

It is a safe presumption that the Independent Republican diversion of the campaign closed in November will not be repeated. When the lesson of the gentlemen engaged in that fantastic movement is finished, there will be a coincidence between the completion of their education and their career, and those encouraged to follow their example will be cranks exclusively. Political prohibition as a national question has been made odious, and there are no sinners so repentant as those who threw away votes, on men who were bringing reproach upon the cause of temperance, that would have saved the country from the demoralization of the Democratic accession to power. The division of the Irish vote was caused by enlightened influences that will endure, and upon lines of principles that have abiding force.

The South cannot be maintained solidly for the Democratic party. The false cries arousing race issues cannot continually prevail. The old bosses, bred in slavery and rebellious war, are entering upon their last lease of power. What is to happen before the races live peaceably together in the enjoyment of equal political rights, one should not venture to say crudely, or

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without acknowledgment of the exceeding gravity and embarrassing nature of the matters involved. We may be sure that the rights of manhood will make their way. If we are to include within our boundaries a British India, in the presence of a dominant and a subject race, the few must not vote for the many and, through a representative system based upon the enumeration of all as equals, make other States as well as their own, and whites and blacks alike, their subordinates, and assume the mastery of the continent. The theory that they can do so, and that to resist class rule in a section is the highest of political offenses, and must be denounced as the solemn crime of sectionalism, is preposterous.

Possibly the Southern race troubles may be adjusted by the drifting of the population into communities in which one race or the other would have overwhelming preponderance, and finally into white and black States. Whatever takes place, the solid South, as a partisan body, under the control of the reminiscences of slavery and the revenges of the war, must pass away before the progressive development of the nationality of the American Republic. It may be by the conversion of the border States to Republicanism, or by the process of the growth of black and white States by the natural tendencies of the races, if the extreme Southern whites are right about it that they cannot live together as political equals; and it may be that the contrast between the professions and performances of the Democratic party will prove sufficient warning to the people at large to make the hereafter of the party hopeless until it is reformed away to appear in better shape. But if there is not in these things the efficacy claimed, we look west and north for the fairer skies that are to shine over the future.

The solid South is flanked forever on the Pacific Coast. All beyond the Rocky Mountains is Republican. Kansas, the disputed territory when the question arose whether freedom or slavery was to be national, ranks with Pennsylvania and Iowa as a Republican State. Southern pride and prejudice are on the retreat in Missouri. Colorado stands like a Republican sentinel in the heart of the continent, the child of the centennial year, national to the marrow, and free to the finger-tips. Between Lake Superior and the Pacific Ocean railroad construction has ceased, the work accomplished, and State-building is far advanced. There are the Dakotas and Montana, Wyoming and

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Washington, soon to complete the magnificent arch of Republican States from ocean to ocean. The superb space from the greatest of the lakes to the broadest of the seas is all Republican, as the November majority of fifty thousand in Dakota splendidly proclaimed. It is in the glory of this broadly based and generous Republicanism, invincible and luminous with liberty spanning the continent, that the darkness of the cloudy corner of the country shall at last fade; and then there will be light upon all the land.

MURAT HALSTEAD.

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MIND IN MEN AND ANIMALS.

To the August number of this Review I contributed a short article entitled "Man and Brute," wherein I endeavored to sketch the lines through which the human mind has probably been evolved from minds of lower types. My argument was that up to a certain point the psychology of man runs parallel with that of animals; emotions, instincts, and reason all corresponding each to each in the two orders of mind so far as they are common to both; it being, therefore, only an unparalleled growth in certain lines in the psychology of man that the evolutionist has to explain. This unparalleled growth, I further argued, might be shown to arise from a gradual development of the sign-making faculty, as this undoubtedly occurs in animals. That is to say, in animals as in ourselves, there is obviously a "logic of feelings," and in them also to a certain extent there is obviously the power of translating this logic of feelings into the "logic of signs." Usually the signs employed are those of tone and gesture; but in the only animals that happen to possess the power of articulation, the talking birds, I have evidence to show that the signs employed for the purpose of communicating desires and ideas of objects, qualities, and actions, may be articulate. In what respect, then, it will be asked, does the mind of a parrot differ from the mind of a man? The bird has instincts, emotions, and a faculty of ratiocination, all the same in kind as those that obtain in ourselves; while in its power of translating the logic of its feelings into a logic of articulate signs, the bird further presents (in a rudimentary stage of development, indeed, but none the less of like kind) the faculty of the *Logos*. Given these things, and all psychologists would be agreed that the high powers of abstraction that are the only distinctive features of the human mind, might very probably have been developed by the mutual influence of language and thought.

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In what respect, then, does the mind of a parrot differ from the mind of a man? The difference consists in the power of predication. An intelligent parrot is able to denominate an object or a quality; it is not able to predicate the quality as belonging to the object. In other words, the nominative stage of even spoken language does not extend to the power of making a proposition. At this stage of spoken language, words are nothing more than vocal gestures. A particular word, or a particular phrase, is learned by association, as the appropriate designation of a particular object, quality, action, or desire; but there is no power of spontaneously forming new sentences. At this stage in the evolution of language, whether in the parrot or in the child, words stand as signs that are stereotyped into special phrases, wherewith to signify particular things or states that the talker has previously associated with them; there is as yet no power of handling words as movable types wherewith to construct a proposition *de novo*. In order to pass from the nominative to the predicative stage of language or sign-making, two things are requisite. In the first place, the talker must have a general idea of beings in the abstract, else he could not supply the essential part of a proposition, the copula. In the next place, the talker must have a general idea of his own personality as distinct from that of all other beings, else he could not supply the essential meaning of a proposition, a judgment. When we make a proposition, we not only affirm a truth, but we affirm a truth perceived as true. We not only know that the grass is green (an animal knows this), but in predicating the greenness of the grass we prove that our knowledge is itself a matter of knowledge. We know that we know that the grass is green. This power of knowledge to know itself arises from the power that the human mind displays of introspection, or of turning inward upon itself, so as to make some of its states objective to others. And this power presupposes the faculty of self-consciousness, or the faculty of separating in thought the ego from the non-ego. Thus, in order to understand fully the probable genesis of predication, it is needful to consider the probable genesis of self-consciousness.

My proposition in this paper will be that, given the protoplasm of the sign-making faculty so far organized as to have reached the nominative stage of language, and given also the protoplasm of judgment so far organized as to have reached the stage of stating a truth (the mind not yet being sufficiently

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developed to be conscious of itself, and therefore not able to state to itself a truth as true), by the confluence of these two protoplasmic elements an act of fertilization is performed, such that the subsequent processes of mental organization proceed apace, and soon reach the stage of differentiation between subject and object. In all that is to follow I am in no way concerned with the philosophy of this change, but only with its history. On the side of its philosophy I am in complete agreement with the most advanced idealist, and hold that in the datum of self-consciousness we each of us possess, not alone our only ultimate knowledge, or that which alone is "real in its own right," but likewise the only mode of existence that the human mind is capable of conceiving as existence, and therefore the *conditio sine qua non* to the possibility of an external world. With this aspect of the matter, however, I am not here concerned. Just as the functions of an embryologist are confined to tracing the mere history of developmental changes, and just as he is thus as far as ever from throwing any light upon the deeper questions of the how and the why of life, so in seeking to indicate the steps whereby self-consciousness has arisen from the lower stage of physical development, I am as far as any one can be from throwing any light upon the intrinsic nature of that the probable genesis of which I am endeavoring to trace. It is as true to-day as it was in the days of Solomon, that "as thou knowest not how the bones do grow in the womb of her that is with child, thou knowest not what is the way of the spirit."

If it is only in man that self-consciousness is to be found, clearly it is only to man that we can look for any facts bearing upon the question of its evolution. And inasmuch as it is only during the first years of infancy that a human being is destitute of self-consciousness, the statement just made implies that only in infant psychology need we seek for the facts of which we are in search.

It will, I suppose, be admitted that self-consciousness consists in paying the same kind of attention to inward psychical processes that is habitually paid to outward physical processes. It will be further admitted that in the mind of animals and in the mind of infants there is a world of images standing as signs of outward objects;* and that the only reason why these images are not attended to unless called up by the

* See the chapter on "Imagination," in "Mental Evolution in Animals."

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sensuous association of corresponding objects, is because the mind is not yet able to leave the ground of such association, so as to move through the higher and more tenuous medium of introspective thought. Nevertheless, the images, in the case of the higher animals, are not restricted to the mere reproduction in memory of particular objects of sensuous perception; they admit of undergoing that amount of mental elaboration which entitles them to be termed simple concepts. Further, it is of still more importance to observe that of these ideal constructions a large constituent number have reference, not to objects of sense or to general qualities of such objects, but to the mental states of other animals. That is to say, the logic of feeling, even in animals, is enough to enable the mind to establish true analogies between its own states (although these are not yet the objects of separate attention, or of class as distinguished from implied knowledge) and the corresponding states of other minds. I need not dwell upon this point, because I take it to be a matter of simple observation that animals habitually and accurately interpret the mental states of other animals, while they also well know that other animals are able similarly to interpret their mental states, as is best proved by their practicing the arts of cunning, concealment, hypocrisy, etc. From these considerations we reach the general conclusion that intelligent animals recognize a world of ejects as well as a world of objects. Mental existence is already known to them ejectively, although, as may be conceded, never thought upon subjectively.*

It is important further to observe that at this stage of mental evolution the individual, whether an animal or an infant, so far realizes its own personality as to be informed by the logic of feelings that it is one of a kind. I do not mean that at this stage the individual realizes its own or any other personality as a personality, but merely that it recognizes the fact of its being one among a number of similar though distinct forms of life. Alike in conflict, rivalry, sense of liability to punishment or vengeance, etc., the outward truth is continually being

* The mental states of one individual cannot be known to another individual, either objectively or subjectively; they are known by a process of inferring their resemblance to one's own mental states. We eject our own mental states upon what is otherwise to us the blank screen of another mind.

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borne in upon the mind of an animal that it is a separate personality, and this though the animal may never be able, even in the most shadowy manner, to think about itself as a personality. In this way arises what Chauncey Wright has termed an "outward self-consciousness," which differs from true self-consciousness only in the absence of any attention being directed upon the inward mental states. This outward self-consciousness is known to us all, even in adult life, it being but comparatively seldom that we pause in our daily activities to contemplate the mental processes of which these activities are the expression.

We have seen, then, that self-consciousness consists in paying the same kind of attention to inward psychical processes that is habitually paid to outward physical processes; that in the mind of animals and infants there is a world of images standing as signs of outward objects; that at this stage of mental evolution we have not merely simple concepts, but also the recognition of an ejective no less than of an objective world; and that here also we have the recognition of personality, as far as this is dependent upon "outward self-consciousness," or the consciousness of self as a feeling and active agent, apart from self as an object of thought.

Such being the conditions precedent to the rise of self-consciousness, we may next turn to the growing child for evidence of all subsequent stages in the gradual evolution of this faculty. All observers are agreed that, for a considerable time after a child is able to use words as expressive of ideas, there is no vestige of true self-consciousness. Even its own organism at a year old is not known to the child as a part of the self, or, more correctly, as anything related to feelings. Professor Preyer observed that his boy, when more than a year old, bit his own arm just as though it had been a foreign object. Later, when the "outward self-consciousness," already explained, has begun to be developed, we find that the child, like the animal, has now learned to associate its own organism with its own mental states, in such wise that it recognizes its own body as belonging in a peculiar manner to the self, so far as this is recognized by the logic of feelings. Next the child begins to talk, and, as we might expect, the first translation of the logic of feelings into the logic of signs having reference to self, reveals the fact that as yet there is no true or inward self-consciousness, but only the outward. As yet, the child has paid

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no attention to his own mental states, further than to feel that he feels them; and, in the result, we find that the child speaks of himself as an object, *i. e.*, in the third person, or by his proper name. The change in the child's phraseology, from speaking of self as an object to speaking of self as a subject, does not usually take place till the third year. When it has taken place, we have definite evidence of true self-consciousness, though it is still in a rudimentary stage.

Let it now be observed that, long before any words are used indicative of even a dawning consciousness of self as self, the child has already advanced so far in its use of language as to frame implicit propositions. On this point I may adduce the impartial and highly competent testimony of Mr. Sully, who writes:

"When a child of eighteen months, on seeing a dog, exclaims 'Bow wow,' or on tasting his food, exclaims 'Ot' (hot), or on letting fall his toy, says 'Dow' (down), he may be said to be implicitly framing a judgment: 'That is a dog,' 'This milk is hot,' 'My plaything is down.' . . . . The boy was first observed to frame a distinct judgment when nineteen months old, by saying 'Dit ki' (sister is crying)."

Hence we see that a child expresses implicit judgment before there is any evidence of his presenting the faintest rudiment of true self-consciousness. "Dit dow yu" is a proposition in every respect, more in the significant absence of the copula, which means that at this stage the mind is not able to state to itself as true a truth which it states to other minds. The child here perceives a certain fact, and expresses the perception in words in order to communicate information of the fact to other minds, just as an animal under similar circumstances will use a gesture or a vocal sign; but the child is no more able than the animal to think "is," or consciously to make to its own mind a statement that it makes to others.

Given this stage of mental evolution, and what follows? The child, like the animal, is supplied by its logic of feelings with a world of images standing as signs of outward objects, with an ejective knowledge of other minds, and with that kind of recognition of self as an active, suffering, and accountable agent which we have spoken of as outward self-consciousness. But over and above the animal, the child has at its command the more improved machinery of sign-making, which enables it to signify to

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other minds the fuller contents of its knowledge. Among these contents is the child's perception of the mental states of others as expressed by their gestures, tones, and words. These severally receive their distinguishing names, and so gain clearness and precision as ejective images of the corresponding states experienced by the child itself. "Mamma pleased to me" would have no meaning as spoken by a child, unless he knew from his own feelings what is the state of mind that he thus ejectively attributes to another individual. Therefore we cannot be surprised to find that at the same age a child will also say "Dodo pleased to mamma." Yet it is evident that we are here approaching the borders of true self-consciousness. "Dodo" is no doubt still speaking of himself in objective phraseology; but he has advanced so far in the interpretation of his own states of mind as clearly to name them, and so to fix these states before his mental vision as things that admit of being denoted by verbal signs.

Obviously the step from this to recognizing "Dodo" as not only the object but also the subject of mental changes, is not long. The mere fact of attaching verbal signs to inward mental states has the effect of focusing the attention upon those states; and when attention is thus habitually focused, we have supplied the only further condition required to enable the mind, through its memory of previous states, to compare its past with its present, and so to reach that idea of continuity among its own states in which the consciousness of self essentially consists.

GEORGE JOHN ROMANÉS.

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THE USE AND ABUSE OF TITLES.

LAST year the colleges of this country were much interested in the discussion of the comparative merits of classical and scientific education. Academic degrees are now under scrutiny. President Eliot, in his address at Baltimore, brought forward the requisites for the degree of Bachelor of Arts. Since then, President Woolsey, in a paper partly historical and partly suggestive of reform, has discussed the bestowal of honorary degrees; and Professor Bryce, in his essay on an ideal university, has boldly expressed the opinion that "degrees are nowise indispensable." Other kindred writings might be mentioned, but these are enough to show that the subject is of considerable importance. It is but a branch of the subject of titles in general.

Americans are sometimes spoken of as addicted to titular honors, and at other times are regarded as heedless about them. But Americans do not differ in this respect from the people of other nations. They know that titles have their uses, and they use them; and that titles may be abused, and they abuse them. So do Europeans. Nevertheless, republics are exposed to some troubles in respect to titles that are not felt in monarchies. There are no acknowledged original sources of honor, except the people; no sovereign, no court, no herald's office, no established church, no royal academy, no limitation as to the chartering of universities; and even the right to bear arms has carried with it the right, in the militia, to win any military rank. There was trouble on this matter when Congress first met in 1789. Monarchical usages came into collision, in many ways, with democratic tendencies. For several weeks the House and the Senate were at variance as to the title of the chief executive officer. A committee of Senators favored the phrase "His Highness, the President of the United States of America, and Protector of their Liberties," which had a half-royal, half-Cromwellian sound; but,

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owing to the dissent of the lower house, the Senate, instead, adopted this resolution:

"From a decent respect for the opinion and practice of civilized nations, whether under monarchical or republican forms of government, whose custom is to annex TITLES of respectability to the office of their chief magistrate, and that, on intercourse with foreign nations a due respect for the majesty of the people of the United States may not be hazarded by an appearance of singularity, the Senate have been induced to be of opinion that it would be proper to annex A RESPECTABLE TITLE to the OFFICE of PRESIDENT OF THE UNITED STATES: But the Senate, DESIROUS of PRESERVING HARMONY with the House of Representatives, where the practice lately observed, in presenting an address to the PRESIDENT, was without the addition of TITLES, think it proper for the present to act in conformity with the practice of that house; Therefore,

"RESOLVED, That the present address be to the PRESIDENT of the UNITED STATES, without addition of TITLE." *

Thirteen years before, at the beginning of the war, Washington had been obliged to exact from the British commanders the recognition of his official title; and on one occasion he declined to receive from General Howe a letter that was addressed to "George Washington, Esquire, etc., etc.," saying that although "the *et ceteras* implied everything, they also implied anything." That is the trouble with many titles besides *et cetera;* they imply everything, and they imply anything. In the century that has passed since Washington became President and the designation of his office was formally agreed upon, simplicity has been the dominant principle in speaking of or in speaking to the highest office-bearer of the nation; but in regard to other dignitaries usage has varied. The tendency has been to vulgarize the titles of honor. Near the frontier "Colonel" is a common salutation to a well-dressed man who looks as if he would fight; and "Judge" is applied to those of a more intellectual aspect. "Bishop" has come down from Apostolic times, with a traditional dignity not easily degraded; but the title sounds oddly enough as one hears it in Salt Lake City, applied to Mormon leaders who are completely at variance with the Christian Church. The prefix "Honorable" has been sadly abused. If it had been reserved for persons in the highest official stations, its usage would have been commendable, but now it is only trouble-

* The small capitals are those given in the original journal, as printed in New York, 1789.

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some. The question might even be raised whether eagerness to enter public life in this country is not due to the pleasure of being called Honorable, rather than to the love of limited power and limited compensation. If the writer is correctly informed, one department of the Government, the Department of State, has shown a commendable conservatism respecting titles. Its dispatches are addressed without any prefix to the personal name but "Mr.," or with the addition of "Esquire," supplemented by an indication of the station to which the diplomatic agent is accredited. All such handles as "Governor," "Judge," "Colonel," or "Professor" are wanting in its superscriptions. In the newspapers, there is a growing disposition to prefix titles to all personal names. We see not only Secretary Frelinghuysen, Senator Bayard, Representative Findlay, and Speaker Carlisle, but such objectionable usages as these: Editor A, Millionaire B, Shipchandler C, Detective D, Pork-merchant E, and so on, to Policeman X, and such feminine forms as Mrs. ex-Congressman Y. College titles have shared in this vulgarization. When there was but one professor at Harvard and none at Yale, "Professor" might have been a title to be enjoyed; but how is it now? Once "Doctor" meant something; what does it mean now?

In view of these tendencies, the question is naturally raised, whether in a republic there are any principles that should govern the use of titles. Probably the following propositions will be conceded:

First. Titles are always troublesome. They differ in different lands; they are used in the same country in differing senses; they seem to many sensible people like worn-out finery; they introduce vexatious questions of precedence and lead to needless jealousies and heart-burnings.

Second. Titles cannot be eradicated even from a democracy. People may rebel against them (as did the French in the Revolution), but they will recur to them. Some ready mode of describing a person, and saying to what genus he belongs, will somehow or other be devised.

Third. Titles should be regulated by the body, or order, or society to which they appertain, and outsiders should conform to usages thus prescribed, and should not employ irregular appellations. Thus, civil titles should be fixed by the authority of the state, military by the army, naval by the navy, ecclesiastical by churches, and academic by universities. As for the titles

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that are purely social (Mr., Madame, Esquire, etc.), the usage of good society must be decisive.

Fourth. Titles honorably bestowed are incentives to praiseworthy action. Many modest or diffident men have been encouraged by the reception of some unexpected honor; many have been led to put forth their best efforts in the hope that titular recognition would be their reward.

Fifth. Conversely, titles won by entreaty or sycophancy, by the detraction of others, by any form of meanness, or by any false pretense, are more tasteless than apples of Sodom.

Sixth. Descriptive titles (to be placed after one's name, rather than before it), on a visiting card, or a title-page, or a society's roll, are a great help in facilitating acquaintance among strangers, and are heartily to be encouraged.

Seventh. To sum up, titles fitly regulated, notwithstanding their liability to abuse, are convenient, traditional, wide-spread, indispensable, remunerative appellations, not foolishly to be desired, not lightly to be condemned.

From republicans in general, we turn to the republic of letters. The usage of bestowing honors upon scholars is very old. Indeed, it is hard to imagine the existence of a society of advanced teachers and pupils, *universitas magistrorum et discipulorum*, without offices, ranks, and grades—or, in other words, degrees. In the theory of a liberal education, one principle which stands unshaken amid all controversies, and will stand unshaken to the end of time, is order, sequence, system. That which is fit at one period of life, at one stage of advancement, with one purpose in view, is not fit at another. There must be steps or degrees, more or less formally indicated by rules and by-laws. So it has always been. The usage varies in different countries, and at present there is a great deal of discussion as to the detailed requirements essential to academic honors. It takes a volume of several hundred pages to exhibit the peculiarities of the various German universities. It requires a book almost as large to bring out all that pertains to examinations for the degrees in medicine in different countries. It takes a score of pages to indicate the gowns and hoods that custom demands in different British institutions. All this indicates a diversity that approaches controversy. But closer study shows that the differences are in detail rather than in principle. In general, all the countries of Christendom, excepting the United States of

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America, are agreed in protecting academic degrees by regulations that no one can with impunity transgress; and consequently in Europe academic titles have a definite significance which gives them great value. Americans, on the other hand, have shown a deplorable disregard for usage and precedent. They have vulgarized these and other titles. Instead of restricting the degree-giving power to a few comprehensive universities, Americans have allowed it to be exercised by hundreds of weak and inefficient colleges.

Thus, instead of limiting the number of charters bestowed on colleges, the supply of charters has always been equal to the demand. Again, instead of acting conservatively under charters thus recklessly bestowed, many colleges have been careless in the extreme, and especially so in respect to honorary degrees, which ought to be high distinctions, and medical degrees, which ought to be rigidly guarded as the seals of life and death. Hence it has come to pass in this country that ordinary academic degrees have been given on such different terms that when we hear of a B. A. or an M. A. we have no certainty what is implied by these distinctions, unless we happen to know what college gave the degree, and not always then. Within the writer's acquaintance, a youth entitled to call himself a Bachelor of Arts in one college could not enter the lowest classical classes in another; and a youth that had been graduated in one institution, and was about to become its mathematical teacher, was unable to follow intelligently the lowest mathematical classes in another college to which he had resorted. Honorary degrees, especially those of LL. D. and D. D., are bestowed in extravagant profuseness, without any respect to the academic standing of the recipient. New varieties of degrees are manufactured with an inventive skill that is truly characteristic of Americans. From the report of the United States Commissioner of Education, for 1882, we have compiled, with severe mortification of our patriotism, the following list of academic degrees conferred in the United States during 1882. We begin with modifications of the old Baccalaureate degree:

Bachelor of Arts.
Bachelor of Letters.
Bachelor of Science.
Bachelor of Philosophy.
Bachelor of Laws.
Bachelor of Scientific Agriculture.
Bachelor of Mechanic Art.
Bachelor of Mining Metallurgy.
Bachelor of Engineering.
Bachelor of Chemical Science.

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Bachelor of Divinity.
Bachelor of Sacred Theology.
Bachelor of Music.
Bachelor of Civil Engineering.
Bachelor of Mining Engineering.
Bachelor of Agriculture.
Bachelor of Surgery.
Bachelor of Painting.
Bachelor of Pedagogics.
Bachelor of English.
Bachelor of English Literature.
Bachelor of Domestic Art.

Then there are degrees devised by those who seem to think there is some incongruity in giving young ladies the title of Bachelor, viz.:

Licentiate of Instruction.
Laureate of English Literature.
Laureate in Arts.
Laureate of Science.
Graduate in Liberal Arts.
Proficient in Music.
Maid of Philosophy.
Maid of Science.
Maid of Arts.

There are also the old degrees of Master and Doctor, and the many special degrees that are supposed to indicate advanced attainments, viz.:

Master of Arts.
Doctor of Philosophy.
Doctor of Science.
Master or Mistress of Science.
Master of Laws.
Master or Mistress of Philosophy.
Civil Engineer.
Mining Engineer.
Civil and Mechanical Engineer.
Topographical Engineer.
Surveyor.
Mechanical Engineer.
Dynamic Engineer.
Analytical Chemist.
Pharmaceutical Chemist.
Master of Accounts.
Principal of Pedagogics.
Master of Letters.
Doctor of Music.
Doctor of Dental Surgery.
Doctor of Dental Medicine.

Together with titles feminine to match some of the masculine forms last given:

Mistress of Liberal Arts.
Mistress of English Literature.
Mistress of Polite Literature.
Mistress of Music.

Besides, there are these venerable distinctions:

Doctor of Medicine.
Doctor of Laws.
Doctor of Civil Law.
Doctor of Divinity.
Doctor of Sacred Theology

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It is not strange that, in these circumstances, fraudulent diplomas are sometimes issued, as in the famous cases exposed in Philadelphia and Chicago; and that notices like the following are possible in one of the oldest States in the Union. A recent circular of the "University School for Young Ladies in the city of ——" says:

"The Board of Governors and Visitors are invested by its charter with full power to confer such honors and degrees, attested by medals and diplomas, as are usually conferred in this State by colleges, normal schools, and universities; also to appoint *an advisory Board of Lady Visitors, to be vested with the same privileges and powers.*"

In view of what has been said, the reader may now be prepared to consider what Dr. Barnard, of Columbia College, has called "the rehabilitation of degrees." The questions are constantly arising, Are academic titles of use either to the recipient or to the public? Can their value be increased? Are they worth saving? Let honorary degrees be considered first. Those coveted marks of approbation are bestowed without examination, by grace, and are not claimed by right. These distinctions are closely allied to such as are won by election to the membership of certain academies and associations, like the Royal Society of London, or the Institute of France. They belong to those subtle influences, sometimes called incentives, that are among the most potent means in existence for drawing out intellectual exertions.

Ten years ago, a distinguished astronomer, in an article well worth reperusal, discussed in this REVIEW the reasons why Americans have contributed so little to the progress of exact science. He dwelt especially upon mathematics, and showed that in this department of knowledge our countrymen have been much less productive than Europeans; and he suggested two reasons for their lack of fertility: the absence of journals in which good mathematical work could be promptly and appropriately published, and the uncertainty of any favorable recognition when a good piece of work is performed. In other words, the incentives are not strong enough to draw out the best exertions of the most competent intellects. Of course, as he acknowledged, there are always internal rewards,— the pleasure of finding out, the consciousness of doing one's duty, the delights of intellectual activity, and so on,— but these subjective impulses are not favorable to productivity. In order to induce a scholar to elaborate and write out in an orderly manner what

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he has thought, he must be assured that what he writes will be printed, and in most cases he needs the additional assurance that what he prints will be read, and again, that what is read will receive due recognition from those that are competent to judge of its worth. Hence it is that modern society has evolved and still perpetuates so many modes of showing an appreciation of good intellectual work. Favorable mention in the works of the learned, careful reviews, election into the fellowship of academies and other dignified bodies, commemorative celebrations and jubilees, monuments, portraits, statues, prizes, medals, and last, but by no means least, admission to honorary degrees, with a right to bear honorary titles, are among the distinctions offered in all civilized countries to those that have aided in the advancement of knowledge, whether their part has been the acquisition of great learning, the discovery of new truths, the re-statement of old truths in better form, or the instruction of youth in the methods of intellectual life. In some countries, especially in those where the traditions of a court are strong, social rank is bestowed on scholars,— as Humboldt was made a royal chamberlain, and Tennyson was made a baron,— and sometimes pensions and purses are offered to those whose lives have been consecrated to literary and scientific work. By all these devices, society is saying that recognition shall be the reward of productivity; honor shall wait on learning.

In respect to degrees to be won by examination, it may be said that their action as incentives is much stronger upon young minds than that of honorary degrees upon those that are older. It is not uncommon to hold a youth to the completion of a long and perhaps wearisome course of study by the assurance that at its close he shall receive the title of Bachelor of Arts. He knows that if he wishes to enter a good professional school, or to engage in teaching, or to publish a book, it will be a help to place after his name the initials A. B. He knows that through life the question will often be asked, Are you a college graduate? It is deemed a great hardship if one that has been allowed to remain in a college till near the end of his senior year is at the last moment deprived of the titular honor so long anticipated. If any further proof is needed, the bestowal of degrees by all the colleges of the country, and the employment of the term "graduated" in institutions that do not confer degrees, may be taken as significant indications.

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In order to give true value to these distinctions, the authority to confer degrees should be limited. Theoretically, it is absurd that every incorporated college should exercise such a prerogative. Everywhere, except in the United States, the degree-giving functions are restricted by customs and by statutes so rigid that to violate them would be a most serious offense. But it is too late to appeal to legislation; the reform desired can only be secured by the combination of a few strong institutions. Is it hopeless to expect such concurrent action? Dr. McCosh, fresh from British traditions, made a suggestion in his inaugural address that the colleges of one State should agree to act together as a university; but we have never heard of any echo to this proposal from New Brunswick or Hoboken. Dr. Barnard, with the prestige of Columbia to sustain him, urgently advised, several years ago, that the University of the State of New York should be recognized as the one degree-giving body in that State; but the centennial anniversary has passed without any such agreement. President White, of Cornell University, has expressed his willingness to accept such a scheme; but it will be a long while, we apprehend, before the numerous colleges in New York are ready to yield the privileges they have been wont to exercise. Dr. Woolsey, in his recent article, has reviewed with great learning the historic usages that confined the degree-giving power to authorized universities. If opinions like these were generally accepted, remedies could be found. Certainly, in those Western States where strong foundations have been laid by the legislatures,—for example, in Michigan, Wisconsin, Minnesota, and California,—State examinations, to be conducted by the State universities and by such colleges as would consent to affiliate with them, might be instituted, and certain privileges might be accorded to the degrees won under these conditions. Even elsewhere, all the colleges within the borders of a State might yield their independence in degree-giving, and might consent on equitable terms to fellowship with other institutions in the exercise of this university function. To the writer it seems possible that a few strong institutions in different States—for example, Columbia, Cornell, Princeton, the University of Pennsylvania, and Johns Hopkins—might unite in examining candidates and bestowing degrees upon a uniform basis of merit, and with uniform tests of proficiency. The student would still be known as a graduate of Princeton,

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Cornell, etc., while his degree would be conferred with the approval of the board of examiners in the university union. Honors won in such lists would be worth having. The experiment of intercollegiate examinations, which failed for lack of funds, was sustained long enough to show what readiness there is among students to compete for intercollegiate honors. Certainly, if rivalry in athletic sports is worth encouraging, a rivalry in intellectual exertions is much more desirable.

An effort should also be made to restore the true meaning of degrees. It is generally regarded as unfortunate that so many modifications of the baccalaureate title have been employed by American colleges. According to wide-spread and time-honored usages the degree of Bachelor of Arts should indicate that the first grade after matriculation has been attained in a society of scholars; it should mark the termination of a period of fundamental studies. Usage has driven out of this country the degree of Bachelor of Medicine, and the mere suggestion of its restoration not long ago awakened the decided opposition of the medical faculty; on the contrary, usage has favored the degree of Bachelor of Laws and of Bachelor of Divinity, so that their disappearance is improbable, and perhaps undesirable; but most of the other modifications of the bachelor's degree — Bachelors of Science, Philosophy, Literature, Agriculture, Architecture, Engineering, and the rest — might well be given up. It would be well if everywhere the degree of Bachelor of Arts should signify that the recipient has been thoroughly trained in the fundamental studies of a liberal education; that he has received such discipline in languages, mathematics, science, and philosophy, as entitles him to be called well educated. His diploma would then be a testimonial to the world that, in the opinion of the degree-giving body, the recipient of this honor had passed the period of adolescent training, and had reached the beginning of academic freedom. For the public one such title, bestowed on principles distinctly avowed by leading institutions, upon those who comply with the conditions, would be better far than the multiplicity of designations now in vogue.

What should be done for those proficient in technical subjects who have not received a training in the liberal arts? Our answer is ready. Give them certificates and titles that indicate what they have become proficient in — anything but a baccalaureate degree. Let their first distinction be the winning of a

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diploma as proficients in engineering, chemistry, etc.; but let their final professional stand be that of architect, civil engineer, mining engineer, chemist, electrician, agriculturist, veterinary surgeon, or the like — titles that correspond with the vocations of modern society, and are much better than such queer titles as those now given. A youth that has been pronounced an architect, a veterinary surgeon, or an engineer, after prolonged study and satisfactory examinations by a reputable institution, would have a title worth having, which would introduce him to the world as expert in the theory of the art he purposes to practice. The public would have some guarantee as to the candidate's attainments, while colleges and universities would be held up to a high standard of fidelity, lest their indorsements, no longer hidden in mediæval Latinity, but uttered in nineteenth-century English, should go to protest.

Our conclusions are simply these: that as academic degrees are already established, boards of trustees and faculties should endeavor to restore their significance by reducing the number of titles; by seeing that they are only bestowed on worthy recipients; by encouraging everybody that wears a title to declare, whenever he points to it, the source from which it comes; and by welcoming all measures that tend toward the bestowal of degrees by college unions and not by a single faculty.

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SPECULATION IN POLITICS.

As the magnetic currents are said to play about the earth, enveloping it in an intricate net-work of living forces, so thought plays about every object of human interest. Thinking minds try to trace out causes and to forecast results. Institutions are scrutinized to ascertain their conformity to principle, or the equity of their operation, and new ones are devised to supplement or to replace the old. As knowledge and experience, the data for final judgment, are variously colored by the thinker's passions and relations to the objects of thought, diverse tendencies arise, resulting in the most important consequences, when thought is translated into action. Some, unswayed by self-interest, yet smitten with love for the naked symmetry of abstract truth, and ignorant, perhaps, of the conditions of a healthy national life, clamor for radical reforms. Others are led by responsibility for the conduct of affairs, or by personal interest, to deprecate change as unjust or dangerous. These opposing tendencies characterize all associate life; the radical reformer constituting the centrifugal and the conservative the centripetal forces, by whose just balance is produced that condition of peaceful activity with progress which Shakspere felicitously styles "the married calm of states," but the undue preponderance of the one or the other of which results in rash innovation or in retrogression. It is an interesting question, whether the principles and affections constituting at any epoch the animating spirit of these tendencies have any absolute, or only a relative, validity. The historical fact, that in all vigorous national life an onward sweep is apparent, as in some vast orbit, in which the rearmost columns to-day occupy ground yesterday held by those in the advance, their relative positions remaining unchanged, suggests a doubt whether those principles and affections change with them or are permanent. It is our pur-

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pose to inquire into the reasonableness of this doubt, an inquiry that involves, in substance, the determination of the proper scope and function of speculation in the life of a people, and especially in its political life.

By speculation is meant the viewing of an object of thought in its causes, in the light of universal or controlling principles. This definition leaves to each mind as well the formulation as the application of these principles. If the object of thought be an existing institution, or a proposed movement in politics or religion, thinkers envelop it, throw upon it the light of science, peer into its origin, its justifying causes, its physical consequences, its tendency to elevate or to lower the standard of national morality, intelligence, or freedom, and report facts and reasons tending to show its folly or its wisdom, upon which society may act. In discharging this function, speculative thinkers do for society what is done for an army on the march by scouts swarming about its front and flanks; those attending the Roman legion were called *speculatores*. While they cover its movements, they spy out the enemy and the preferable lines of advance or retreat, and thus furnish to the commander the facts out of which he may form, in the light of general maxims and his own experience, the plan of his campaign. If the analogy suggested is real, does it extend so far as to justify the inference, that the reports of the *speculatores* of to-day — the theater of the conflict, the number, character, necessities, and purposes of friends and enemies alike changing from hour to hour — can form the basis only of the campaign of to-day?

Considered as a practical force or method, it is the function of speculation, on the one hand, to inaugurate or to resist contemplated changes in the social state, or, on the other, to justify or to discredit changes already accomplished; and it may perform one or more of these offices at the same time. History will, it is believed, confirm this analysis. In respect to that of the ancient peoples who rose and fell before the Christian era, we shall refer to it only to point out a remarkable law apparent in the order in which different forms of government succeeded or grew out of one another. It was as if the various political institutions, with the ideas and maxims cohering to each, sprang out of the soil in a fixed order, from seeds planted by nature; first the patriarchal, then the kingly, then the aristocratic, then the popular or democratic, and then, perhaps, excepting only its

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initial step, a repetition of the same order; as though, in analogy to vegetable growths, each particular form had exhausted the soil of ingredients needed to sustain its life, and left it fit only for some other form lying ready in the laboratory of nature. In other words, ancient history justifies the belief that every form of government is menaced by peculiar dangers and enemies, and that if overcome by them it is likely to lapse into some particular alternative form. Thus, a people wearied of the insignificance and hazards attending the patriarchal constitution, easily passes over into the monarchical; from that, into the aristocratic; and from that into the democratic, etc. The point of chief interest for us is that at each transition speculation furnishes the armories of all parties to strengthen or to overcome the inertia of institutions, and that the weapons employed by each are commonly, under similar conditions, the same.

In modern states the operation of a similar law is observable. Even in the early days of Christianity, when politics and religion were so blended as to obscure the operation of merely political causes, traces of it are distinctly discernible. The antagonism whose issue was at that time to determine the future of existing institutions, was that between imperial Rome, with her inexorable traditions and her waning powers, or between her successors in the temporal order, and Papal Rome, then beginning to throw out the threads of her wide dominion. Which of the two should prevail was only half decided when Constantine founded a Christian empire on the ruins of the Pagan; for he did little more than substitute one imperialism, thinly varnished with the forms of Christianity, for another, which, although unchristian, had been, so far as the elements of good government were concerned, scarcely inferior to it. There was no longer persecution of Christianity by the state; but against this must be set off the fact that the church was then first enabled to take its turn at persecution. But, in the main, in her contest with the state, the church was fighting not only for her own existence and that of Christianity, but for the best interests of humanity; she bore aloft, unconsciously, perhaps, the standard of enfranchisement for the new Europe that was to arise out of the *débris* of Rome, shattered by the Gothic invasions. How was it possible for her whose kingdom was not of this world to break the iron fetters of imperialism, inherited from Rome by the feudal sovereigns? It could be done only

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through the consciences of men; and she did it thus by proclaiming the divine right of the see of Rome to rule as well in political as in spiritual things. That she did so was fortunate for herself and, we think, for civilization, which otherwise could hardly have weathered the storms of the Middle Ages.

Thus was established the divine right of the Pope of Rome to give laws to Europe. But was it a right absolute for all time? As claimed for the Pope, it was but a new divine right set up against an old one; for, according to Roman belief and custom, if not by law, the Cæsars were rulers by divine appointment, and came finally to be worshiped as gods. This worship had passed away. Would a time come when the divine right of the church would be discredited? Her pretensions were put forth gradually, and it was not until the time of the great Popes—Gregory VII., Innocent III., and Boniface VIII.—that they were distinctly promulgated, and, in the confusion and distress then prevailing, widely allowed. By their political alliances, and the Crusades instituted by their astute policy, the Papacy received a vast accession to its temporal power, and the leading princes were enabled to begin that process of absorbing the dominions of their weaker feudatories by which were laid the foundations of the great kingdoms of modern times. The work thus wrought by the church, added to her general services to civilization, is inestimable, whatever may be thought of the dogma of divine right. That dogma had served its purpose; the reign of lawlessness and of national disintegration was verging to an end; and it seemed to the men of that day not unjust that the church, through which this great good had been effected, should sit as sovereign mistress of the bodies as well as the souls of men, to both of which she had brought salvation. So prevalent was this conviction, that one familiar with the history of the Middle Ages need not be reminded of Europe's danger for centuries, of becoming subject, in things temporal as well as spiritual, to a single head. Most Catholic sovereigns, even in England to the time of Henry VIII., reigned rather than governed, the real sway being in the hands of their clerical ministers. Gradually Europe became restive under this yoke, and after the Reformation arose a disposition to shake it off, though in France the dogma was strenuously insisted upon by Sixtus V. and the Guises, at the time of the League under Henry III. Inquiry into the nature of government at length led to the suspicion,

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that while the function of governing might be divine, it was not necessarily vested in the head of the church; a function to be discharged in the political order in administering the state, though in its origin divine, might and ought, for the general good, to be intrusted to the king, who in the political order represented its divine author. This conception was in reality founded upon the necessity of transferring to the secular arm a jurisdiction that had proved, when invested in the spiritual head of Christendom, extremely odious and oppressive. To the Tudor sovereigns little speculation was necessary to demonstrate the rightfulness of anything "they were inclined to," or the wrongfulness of whatever "they had no mind to." But, for the English people in general, political necessity must be shown to coincide with moral right before they could act with the requisite zeal and decision. Such demonstration was furnished by the writings of Sir Robert Filmer and of Thomas Hobbes, published during the contest between Charles I. and his Parliament. They demonstrated not only that no divine right to govern inhered in the church, but that the king, and not the Parliament or the nation, as many thought, was by divine right possessed of that function. Filmer maintained that in the beginning God gave supreme authority to Adam, from whom it was transmitted to Noah, and from him to all kings and governors, and that their authority is therefore absolute, and above all human control. Filmer was a man of slender abilities, who would now be forgotten, but for the use made of his name and principles by the English clergy and their Tory allies in the political struggles of the next two reigns. Far superior to Filmer was Thomas Hobbes, one of the greatest thinkers that England has produced. The purpose of Hobbes in his principal work, "The Leviathan," was, like that of Filmer, to break down the supremacy of the church, and to establish absolute power in the hands of the English sovereigns. It need not surprise us, therefore, that he roused the bitterest enmity of the English clergy, and that his reputation has suffered from it. Warburton says that the "press of his time sweat with controversy with the philosopher of Malmesbury, every young churchman militant trying his arms in thundering upon Hobbes's steel cap." He taught that absolute authority might be acquired in two ways: one by force, and the other by voluntary transfer, to one or more men, of the right that every man had by nature to govern

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himself. The man or body receiving this transfer he styled "The great Leviathan" or "Mortal God," and its power was absolute and irrevocable, no matter of what wrong or injury it might be guilty. In this doctrine was foreshadowed the theory, afterward so celebrated, of the social contract, since Hobbes taught that absolute government might be based upon the agreement of all.

Thus far speculative thinkers had claimed the divine right for a monarch — first the spiritual, and then the temporal. But experience in most of the leading states finally led to the conviction that, although the dogma of the divine right of kings was a useful *succedaneum* to that of the divine right of the clergy, which had become odious, it was even more fruitful of evils, because, with powers far superior to those of pope and curia, kings had, in general, equal ambition and greater vices. Be that as it may, absolute supremacy in both church and king became ultimately intolerable. Then speculation advanced another step; it proceeded to examine the basis upon which absolute kingly power had been made to rest. The result was the propounding of a doctrine destined to displace it, that of the social contract. Whatever we may think of the divine right to govern, a people has certainly, it was argued, a right to be justly and wisely governed, and to compel its rulers so to discharge their function as to subserve this great purpose of civilized life. To this end, in instituting governments, each man contracted with his fellows to forego some of his natural rights, or of what would be his rights if he were living in a state of nature, in return for protection from injury and for a similar surrender by all. As every man was a party to this contract, it was the right of all — divine, if any right is divine — to see to it that the contract was carried out; to compel performance, and to punish violations of it; and when, in the judgment of a majority, kings or other functionaries, however revered for imputed divineness, by misconduct had made impossible the attainment of the ends of government without their removal, it was their right to punish them, even with death. This theory, the result of the speculations of Sidney and Locke, has had extraordinary currency and influence for more than two hundred years. Propounded originally, as we have said, with a view to break the force of the dogma of the divine right of kings, as taught by Filmer in 1648, it was again invoked, after the Revolution of 1688, to justify that

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Revolution, in the interest of the Whig party, and against the Jacobites and Tories who sought the restoration of the Stuarts. By the reasonings of those writers, the nation was brought to believe that it was not, as pretended by the enemies of the Revolution, a sin to keep the Stuarts out of their pretended rights. They had plotted with the Papists to destroy the liberties and religion of England. They had been driven into exile by a general revolt of their subjects, and their banishment was a righteous punishment, unless the divine right of kings was a right to commit the most outrageous acts of treason against not only man but God. Thus they justified, after the event, a revolt accomplished, with painful misgivings, by men who had felt in their consciences that rebellion was a sin, but who had been constrained by necessity to commit it.

A hundred years later, the same doctrine was used as a disintegrating force to prepare and to consummate two great revolutions, those of America and France; for, remarkable as it may seem, such vitality had been exhibited by the dogma of the divine right, combated by Locke and Sidney, that to educate Frenchmen and Americans up to the point of rebelling against their sovereigns was the greatest moral difficulty encountered by those revolutions. In France, this was accomplished mainly by the writings of Voltaire and Rousseau, the former directed primarily against *L'infame*, as he denominated Gallican Christianity; the latter against the social order and monarchy of France, rooted in the offensive dogma against which he wrote his celebrated treatise, "*Le Contrat Social.*" America received the same doctrine by a double inheritance, from England, the source of all her institutions, and from France, through Rousseau, the source of much of her political theory, as well as of the rhetoric with which she set forth her rights. And yet, so little had the doctrine of the social contract penetrated the hearts of our fathers, at the beginning of our Revolution, that in the Americana of that period are found not a few sermons combating the slavish dogma of the divine right of George III. to rule America, or those of non-resistance and passive obedience, its most offensive corollaries. But when they became convinced that "resistance to tyrants" was not a sin, but "obedience to God," tender consciences yielded to the instinct of freemen to maintain their rights by force of arms, even against their sovereign. Then began "the dreadful night of kings," of

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which the poet Barlow sang as casting its baleful shadow over the world at our Revolution; and it has gone on deepening, until most thinkers, perhaps, believe that, if there be a divine right of governing, it is inherent, not in a monarch, but in the living organism called the people; a right to be worked out by them in various forms — aristocratic, democratic, or even monarchical — according to existing conditions. But is this conviction a finality for our race, or does it express only a temporary phase of its political faith, which, as time rolls on, and its unforeseen consequences are developed, may in its turn be renounced as a half-truth or an error?

The particular form of this conviction embodied in the doctrine of the social contract has long since been rejected by thinking minds. Not only is it denied as a fact that men ever did or could contract with one another, as supposed by Locke and Rousseau, but it is maintained that while many of the incidents of the best governments are not inconsistent with the contract theory, others are so, and especially with many of the logical deductions from it. Indeed, since men readily accept inferences that are logically drawn from premises believed to be established, logic is one of the principal sources of danger in political speculation. But conceding to the people, as we know it, the right to govern itself, we ask again, Is the right absolute, and is mankind shut up to that doctrine, or may it modify or renounce it, if occasion should arise? It is conceived that the only absolute right in the case is that of mankind to be well governed. If the early patriarchal form was found insufficient, it had a right to take refuge from it in the monarchical, in the aristocratic, in the democratic, or again in the patriarchal, as its highest wisdom should dictate; and that right it has to-day, and will always have. When its highest wisdom is found, as it often is, in a single mind, it should nevertheless prevail, but only on the condition that it secure acknowledgment as such, and that it prevail through the power of the people itself; for wisdom that cannot secure such recognition and such ascendency is not, for the time, the highest. We repeat, then, whatever the existing form may be, if it result in injustice or oppression, there is a right in the people to destroy or to reform it in any mode deemed best. Upon this right as a basis will arise, through all time, a succession of political forms as varied as the knowledge, the needs, and the affections of men. Un-

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changing institutions could be based only upon perfect knowledge, for by it alone would men's needs be perfectly comprehended, and their affections be self-directed to that only which is the best for all.

We therefore conclude, that the high maxims and principles deduced by speculation from the nature of man, from experience of previous forms of government, and from human needs, are relative and provisional; and that they who build upon them, or upon the deductions that logicians reel off from them, as of absolute validity, build upon the sand. The function of speculation in politics, like that of the prophetic assumption in science, being to furnish a working hypothesis for the guidance of the state, by correlating the fruits of knowledge and experience, the resulting institutions to be and remain flexible to changing conditions, it follows that a speculative dogma in the political sphere, which stiffens into an iron rule, especially if armed with a divine sanction, is an unmixed calamity to mankind. It may seem heresy to maintain that the well-loved forms of constitutional states like ours, or like England's, may be rightfully overthrown; and it would be heresy to counsel their overthrow now, when with some evil there is in their operation a vast preponderance of good; but as there are times when heresy is the true religion, so there are times when treason to one's government may be the only true patriotism. Governments are made for man, not man for governments.

But the question arises, If the products of speculation are relative and provisional, and if greater knowledge and experience may displace them all in turn, is speculation not, therefore, useless or insincere? By no means. Speculation is the effort of imperfect humanity to develop its institutions to conform with its principles, its moral instincts, and its needs, as seen with increased clearness from day to day in the growing light of knowledge. Hence, that may be honestly denounced to-day for which one honestly shed his blood yesterday, and for which, if the conditions change, he may as honestly die to-morrow. All that can be demanded for either sincerity or usefulness is, that the adoption or rejection of truth shall be founded on what appear at the time to be sound reasons.

It would be easy to enforce further, by many examples from political life, the truth of these principles. We shall cite but two. Mr. Herbert Spencer has lately written a scathing ex-

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posure of "the sins of legislators," and of the widely prevalent theory, or, as he calls it, superstition, that special preparation is not needed to enable legislators to perform successfully their most important function. Did space permit, it could be demonstrated, that what he affirms to be true of the law-makers of England is equally so of those of America; more than this, that no sin is committed and no superstition cherished by the former, that is not imitated and improved upon by the latter. On this point we shall only say further, that to the superstitions exhibited respecting legislation in England we add others peculiar to our system of free elections, but which, like them, are destined to disappear in the light of greater experience and knowledge. Among these is the superstition that universal suffrage necessarily results in the choice of either able or honest legislators; and the superstition that good laws, whether executed or not, constitute good government. The other example is found in the history of a well-known political theory, formerly very widely held, but by its subsidence now exemplifying the transitoriness of the products of speculation, the theory of State sovereignty. Formerly, that the States were sovereign bodies was by many speculative thinkers considered to be as indisputable as a truth of divine revelation. The past few years, however, have wrought a great change of sentiment, not only in regard to the fact of the sovereignty of the States, but as to what is competent evidence of the fact, and particularly as to the pertinence and evidentiary value of opinion in the discussion of that question. Until of late, they who believed in the sovereignty of the States argued the question upon historical documents and the opinions of the founders and administrators of the American governments. But it is now the better doctrine, that documentary evidence and the judgments of eminent statesmen and magistrates have no power whatever to determine the fact; no more, indeed, than had the dogmas of the school-men to establish the attributes of the divine nature, or than the decrees of the Roman Curia had to disprove the truths of astronomy propounded by Copernicus and Galileo. Sovereignty is a complex fact, involving the simultaneous exercise, by a part or all of an independent people, occupying a determinate territory, of the power and the will to control and govern that territory, irrespective of legal or moral right to do so. As bearing on the *locus* of such a power in fact, therefore, the only competent evidence is the presence or

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absence of those elements of control. Indeed, in a national debate upon the question, the logic of facts that must decide it admits of but one incontrovertible syllogism, and that is the exhibition, by one side or the other, of an overwhelming preponderance of civic power and energy, culminating in superior military prowess in the field. A debate, in which this syllogism was used, was lately held in America, and the result was the effectual refutation of the doctrine of State sovereignty. He who agitates the question anew, with a view to reverse that decision, must appeal, not to documents or judicial *dicta*, but to the next war between *soi-disant* sovereign States and the nation.

Such is now the accepted theory of sovereignty in our government,— that it is a power existing in the nation, and not in the States,— because that theory alone seems to accord with the facts. Should these change, future speculators will formulate a new theory to correspond with them, and that now held will be filed away among exploded fallacies.

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RAILWAY LAND-GRANTS.

ALTHOUGH the last session of Congress was largely occupied with the consideration of land-grants to railways, and bills relating to nearly all such grants ever made were introduced, yet no bill was passed or final action taken. This resulted in a great degree from the intrinsic difficulty and importance of the subject, which became more apparent as examination of it progressed. The number of grants was great; some were to States, and some to companies. In many cases no work whatever had been done; in others the roads were partly made, and in others completed. Sections of roads had been accepted by the President after the time fixed for the completion of the road. New legislation had also been passed after the lapse of the period in which the whole work was to be done, and transfers of the lands had been made by one company to another. The charters and grants were not all alike, but differed in many important particulars. Bonds had been issued, and mortgages covering the land granted had been executed. Much of the land had been sold to actual settlers, and the money received in payment therefor. In some cases the Government had undertaken to do certain things, but had postponed action. Towns had been built, rights had attached, money been invested, business engaged in, all on the faith of the enjoyment of the land-grant. It was apparent that if Congress undertook to deal finally with the subject, and to declare and enforce forfeitures without the aid and intervention of the courts, a separate bill would be necessary in each case, as it was clearly impossible to make one law cover them all; and that an infinite number and variety of questions would arise, intricate and difficult—questions of law and of fact; questions between the United States and some of the States, between the Government and corporations and individuals; questions of title to franchises, and to

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real estate, of the validity of the acts of a coördinate branch of the Government and their effects, between the Government and holders of the bonds of companies; questions of forfeiture and of waiver, questions of when a forfeiture should be enforced, and to what extent, whether the Government had not estopped itself, whether the right of forfeiture had not been equitably lost by acquiescence and delay on the part of Congress, whether one company could legally transfer its rights to another, and whether the lands granted vested *in presenti*, or only on the completion of the road.

No legislation ever before Congress presented such a variety of questions, or required more careful examination; nor was any question more unsuitable for Congressional action, or more in need of judicial consideration. The failure of Congress to take any decisive step is easily accounted for. That body saw the difficulties, and its incapacity to deal with them alone. How was a committee of either house to ascertain facts? It had neither time nor facilities for the ascertainment of the truth, for such investigations would practically engross a committee and prevent its members from attending to other duties.

If, therefore, this grave and important subject, which is now filling so much of the public mind that both political parties made it a feature in their platforms, is to be dealt with fairly and fully and justly, Congress should not attempt to do it itself, but should provide for its submission to judicial tribunals. Senator Morgan, of Alabama, by his bill (S. 1445), has sought to do this, and supported the general proposition in a most conclusive speech. He points out plainly the insurmountable objections to any final and obligatory solution of the question except through the decisions of a court. He assumes that in proper cases Congress should take the initiatory steps to bring the case before the courts, which should be invested with the power to decide all controversies growing out of the grant, whether between the Government and a State or between the Government and a company, and also the rights of persons holding lands or other rights under the company. When, therefore, Congress thought that a company had forfeited its land-grant, all that was necessary was to pass a declaratory bill or joint resolution, and then the courts should take jurisdiction and decide: first, whether, under the charter, the lands were forfeitable, or whether, as is claimed in some cases, they were absolutely dedicated to

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the construction of the road; second, if forfeitable, whether a forfeiture had in fact occurred; third, if in strict law a forfeiture had occurred, whether it had not been waived, or whether the Government was not equitably estopped from asserting it.

In regard to the last point, while it is claimed that the Government cannot be estopped, or be guilty of laches, and while as a general proposition this is true, yet the Government should be slow to deal harshly and strictly with its own citizens, and can voluntarily release these sovereign rights, or at least put itself in a situation in which it would be improper to exercise them. When the United States contracts with its own citizens, it does not and should not stand in the attitude of a sovereign, but as a contracting party, and should construe the contract precisely as if it were between two citizens. To do anything else, is to throw the sword into the scales. The Supreme Court, in the Central and Union Pacific Railroad cases, decided this to be the law. That court says:

"It has been often decided by this court that a charter granted by a State creates a contract between the State and the corporator, which the State cannot violate." (13 Wallace, 264.) "A grant is a contract executed. Congress cannot, by direct legislation, vacate mortgages already made under powers originally granted. When a law is in its nature a contract, where absolute rights have vested under that contract, a repeal of the law cannot divest those rights. A party to a contract cannot pronounce its own deed invalid, although that party be a sovereign state." (6 Cranch, 87.)

But if Congress shall insist on trying these questions, and erect itself into a court, it ought at least to be a court of equity. Nothing else would be just, nothing else would be tolerated by the people. It is true that Congress would be trying a case in which it was one of the parties, would be passing upon the validity, construction, and binding force of its own acts, would be called upon to say whether it had not been guilty of some default, whether it had waived its rights; all of which ought to constitute an overwhelming objection to any action on the part of Congress beyond taking the necessary measures to have the rights of all parties fairly adjudicated. Congress being one contracting party, there can be no reason why, if it claim rights for the Government, it should not assert them and have them passed upon. But there are conclusive reasons why Congress itself should not decide its own case and pass upon its own claims and acts, and deprive the other contracting party of the rights exist-

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ing as to all other persons and in all other cases, of having a fair and full investigation before the tribunals that are created for the purpose and can alone decide properly. And if Congress should sit as a court of equity, as of course it would do, let it be recollected that the sole ground upon which a forfeiture is claimed is, that the State or company did not complete the road within the time prescribed, and that nothing shall be heard by way of excuse, nor can any laches or default be imputed to the United States. If this ground were taken before a court of equity, what treatment would it receive? In the beginning, the court would say to the United States, "You are a plaintiff here; you are a contracting party, and must be treated only as such. You shall not be allowed to eke out your just and equitable rights, or excuse your own shortcomings, by the use and weight of your sovereignty." And having said this much, it would proceed to apply the well-known principles of courts of equity, laid down so clearly in "Pomeroy on Contracts":

"In all ordinary cases of contract for the sale of land, if there is nothing special in its object or in its subject-matter, although a certain period of time or particular day is stipulated for the completion of the agreement or execution of any of its terms, equity treats this provision as formal rather than essential, and permits a party who has suffered the period to elapse within which he should have done the acts on his part according to the literal terms of his agreement, to perform such requisite acts after the prescribed date, and to compel a performance by the other party, notwithstanding his own delay." . . . "Finally, the condition of forfeiture may be waived, and is waived, by the conduct of the party entitled to enforce it, which is only consistent with the continued efficacy and subsisting obligation of the contract."

These are the just principles that a court of equity would apply, and Congress, sitting as a court of equity, should be bound by them. It must always be borne in mind that there was a vast difference in the motives and purposes of Congress in granting lands to different railway companies. Where the grant was to a State, it was in the main only one way of giving that particular State some portion of the public lands to be used for her own interior development. To many companies the grant was a mere business transaction between the Government and the company, and had no other or higher end than the opening and settlement of the country and the convenience of business. But in a few cases public considerations of greatest gravity constituted the mainspring of action. The grant

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was not made merely to facilitate intercourse, but also for the security and protection of the Government itself. The Union and Central Pacific roads were pushed forward with great vigor, at immense expense and through the greatest natural difficulties, to bind our Pacific coast States to the Union, at a time when the strength of the Constitution and its centripetal powers were strongly tested. So, too, with the Northern Pacific, the history of and legislation in regard to which form perhaps the best illustration of the difficulties attending congressional judicature. That road has been regarded, in all the legislation relating to it, as standing on high, peculiar, and exclusive grounds, from its great public importance.

The State of Maine granted the first charter for the building of a Northern railway to the Pacific coast. Such was then the state of feeling in the country, that its projectors believed the people would come forward and contribute the money necessary to make and equip the road. So strong was this feeling, and so profound was the opinion that the funds would be obtained by a sort of popular uprising, that the charter absolutely prohibited the execution of any mortgage by the company to raise funds. But it was soon ascertained that a State charter was not broad and great enough for a work to traverse other States and Territories and substantially span the continent. So Congress was asked to grant the sanction of the United States to the work. In July, 1864, Congress granted the company a charter, retaining the main features of the original, and giving land, but no money.

The war was then at its height, and the Northern mind was inflamed against England, which it was thought exhibited sympathy for the South. But in less than a year from the date of the charter the South was vanquished, and with the surrender the apprehensions as to what England might do were much moderated. The money that was expected to come in to carry on the work did not make its appearance, and it became apparent that the road would never be made from that source. Nearly six years having passed, and the people having made no voluntary contribution, another application to Congress was necessary, and a resolution was passed "authorizing the company to issue its bonds to aid in the construction and equipment of its road, and to secure the same by mortgage on its property and rights of property of all kinds and descriptions,— real, per-

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sonal, and mixed,—including its franchise as a corporation," and also to locate and construct the road.

The fact had become transparent that the land-grant was worth nothing without the right to mortgage it, and that a large portion of the necessary money had to be obtained upon the credit of the property of the company, which then consisted almost wholly of the land-grant. Therefore, Congress allowed the lands to be mortgaged in advance, not a portion of them only, but every acre and fraction of acre, all the way from Lake Superior to the Pacific Ocean. No reservation or exception was made, or limitation or restriction imposed; and the action of Congress was not merely a permission to execute the mortgage, but an invitation to the people to lend their money to the company, on the credit of the only thing of value the company then had, the lands granted.

Puget Sound is a splendid body of water on our extreme north-western border. It is the best point on the Pacific coast from which to reach the Asiatic trade, and is easy of access through the British Possessions. A Pacific road to San Francisco, or any point south of Puget Sound, would be safe from foreign competition; but not so with one to Puget Sound, and the apprehension that England would make such a road, which would intercept much of our trade, and be dangerous in case of war, was one of the main reasons for passing this charter and for giving this company rights that existed in no other. The bill being before the House, Mr. Sweat said:

"This matter has been considered by the British Government, and by British capitalists, and they will, it is believed, build a road through the British Possessions to Puget Sound, if this road is abandoned."

The apprehension of a road on British soil to the same harbor, which would be a great rival, not only for the Asiatic trade, but for that of our country to the south, and would at the same time be the means of transporting men and munitions of war in case of hostilities between Great Britain and the United States, was a specter that loomed up largely in that day. The war was then pending. What Great Britain was going to do was uncertain, and it was considered wise to provide against her on all sides and in every way.

Congress thought that the lands granted were then of no value, and would not be of any for many years, unless made so

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by the construction of a railway; that the Government was to get a great through line completed, which should aid in settling the Indian question, bring other lands into market, invite immigration, secure the trade of Asiatic nations, afford a means for the transportation of troops and supplies, and be a line of defense in case of war; and all for no consideration on the part of the Government, or a consideration not then deemed of any value.

Acting under the authority given by Congress, the company did mortgage the entire land-grant and issue its bonds, which have gone into general circulation. This being the situation, is it competent for Congress, or if competent, is it right, to diminish the securities of the bondholders in the slightest degree, or to take away any portion of the land? Precisely the same reasons exist now as during the war, for encouraging and aiding the construction of a railway along the border. What was predicted and apprehended during the debates, as to the purposes of England, has come to pass; and while our northern border route to the Pacific is threatened at home, and in the very body that created it, Great Britain and the Dominion of Canada are pushing their road to Puget Sound and aiding it with subsidies and Government credit. The Canadian Pacific Railway was begun about the same time that the Northern Pacific was; but not much progress was made till 1881, when a company agreed to build a railway from Lake Nipissing, near the north-east shore of Lake Huron, to Port Moody, on Bussard Inlet, in British Columbia, opposite the south end of Vancouver's Island, and to complete it by May 1, 1891, and maintain and operate it forever. When this arrangement was consummated about seven hundred miles of the road had already been made, and the Dominion of Canada gave the company that seven hundred miles of road and 25,000,000 acres of land and $25,000,000; making in all an out-and-out donation of seventy or eighty millions of dollars. And recently the Government has made further advances by loans to the company, on good terms, and the work is progressing vigorously. But as it is not to be finished for seven years yet, there is still time for us, if not embarrassed by unfriendly legislation, to reach Puget Sound several years in advance, and plant ourselves securely there, opening business communications, and acquiring trade, which can afterward be maintained. The importance of this to the people of the United States is incalculable, and the policy of delaying it cannot be otherwise than short-sighted.

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While our Atlantic coast is indented all the way from Canada to Mexico with harbors, there are but three good ones on the entire Pacific coast — San Diego, San Francisco, and Puget Sound, and it is in the waters of the latter that the United States and England are to meet and contend for the trade of Asiatic countries. Never did road connect two such bodies of water as Lake Superior and Puget Sound. Lake Superior is a vast inland harbor, surrounded by a rich country with cities and towns, and in it centers the trade of an immense region and of millions of capital. Puget Sound is another immense harbor. From the Straits of Fuca, which constitute its outlet to the ocean, it has an air-line length of eighty miles, and a coast-line of eight hundred and six miles. Within, all the waters are navigable, and the smaller inlets afford numerous safe, deep, and capacious harbors. Is the construction of a road between two such bodies of water to be impeded by any but the most overpowering motives of public policy? Puget Sound is partly within British territory, and can be as easily reached on that side as on this. The trade of Asia has always enriched the nation that enjoyed it, and, instead of hindering or embarrassing lines of communication and channels of trade with that continent, our Government should encourage and facilitate them in every legitimate way. The Supreme Court well describes the public importance of certain great roads; for in the Union Pacific case it uses this language:

"This enterprise was viewed as a national undertaking for national purposes, and the public mind was directed to the end in view, rather than the particular means of securing it. The project of building the road was not conceived for private ends, and the prevalent opinion was, that it could not be worked out by private capital alone. It was a national work, originating in national necessities and requiring national assistance."

But in cases where a road has not been completed within the time prescribed in the grant, and it is claimed that a forfeiture of the lands has thereby been incurred, nevertheless the forfeiture may be waived and absolutely nullified. The charters all provide that when a section of twenty-five miles is made, the President shall appoint commissioners to examine and report upon it. If the report is favorable, the President is authorized formally to accept it. When this has been done,—not once only, but many times,—Congress cannot go behind it. If the

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President acts as an independent and coördinate branch of the Government, then of course his acts are conclusive, and cannot be reversed or rescinded by another department. And if he be only the agent of Congress, performing a ministerial act for that body, and did repeatedly perform it, with the knowledge of Congress and without objection or protest, then Congress is bound by the acts of its agent. It is clear what the intention of Congress was in granting lands to aid in conducting a road to Puget Sound. That body was not treating with a company for the mere profit of the latter or the promotion of business, but was beginning a great and indispensable public work, and providing for its completion in any event. Therefore the clause, found in other grants, that the lands should revert to the United States if the provisions of the charter were not complied with, was omitted in this, and in its place was substituted one that dedicated the lands irrevocably to the completion of the road.

But if Congress had a clear legal right to declare a forfeiture of a land-grant, or any part thereof, still, in equity, the power should not be exercised, when the sole ground on which the right is asserted is, that the road was not completed in time. The panic of 1873 in a single day withered up stocks, shrunk values, destroyed credit, made rich men bankrupt, stopped many branches of business, closed iron and manufacturing establishments, arrested railway building, and threw the poor out of employment, and its disastrous effects were felt in every part of the United States and among all classes of people. The Government of the United States itself was unable to fulfill its obligations. The Secretary of the Treasury, in 1880, reported that the panic had made it impossible for the Government to meet the requirements of the sinking fund, which had fallen into arrears more than fifty million dollars during the six years ending in 1879. The panic rendered it impossible for the Government to maintain the sanctity of the sinking fund, not for one year only, but for six consecutive years, and the very same during which the railways, from the same causes, were compelled to suspend work. The Government had sovereign power, immense resources, good credit, and almost unlimited power of taxation, and with all could not perform its contracts, but let the sinking fund diminish each year, until, in 1879, the diminution was over thirty-six million dollars. With this fact before it, does Congress seriously propose to hold the company contracting with

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it to a strict account? to forfeit their property because they did not do what the Government itself did not and could not do?

Upon the whole, it would seem wise for Congress to confine itself, on this grave question, to such legislation as will authorize the courts to hear and adjudicate all controversies growing out of the land-grants. So far as grants have been made to States, and there is no compliance whatever on the part of the State with the conditions of the grant, there ought to be no difficulty. The whole matter could be settled easily and promptly by a retrocession by the State to the United States, which no doubt all the States would readily do upon a proper case being made. But in no event ought those great lines that have become useful to the Government, and will be essential in times of trouble, to be disturbed. If the companies now controlling them are not doing their duty, let Congress act under the power reserved in the charter, and do any and all things that may be needful to insure a speedy completion of the road.

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